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HANSARD'S

PARLIAMENTARY

DEBATES:

Third Series;

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

6° VICTORIÆ, 1843.

VOL. LXIX.

COMPRISING THE PERIOD FROM

THE NINTH DAY OF MAY,

TO

THE FIFTEENTH DAY OF JUNE, 1843.

Fourth Volume of the Session.

LONDON:

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1843.

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HANSARD'S

PARLIAMENTARY DEBATES,

IN THE *THIRD SESSION* OF THE *FOURTEENTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 11 NOVEMBER, 1841, AND FROM THENCE CONTINUED TILL 2 FEBRUARY, IN THE SIXTH YEAR OF

HER MAJESTY QUEEN VICTORIA.

FOURTH VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, May 9, 1843.

MINUTES.] NEW MEMBER SWORN.—The Lord Rossmore, on the death of his Father.

BILLS. *Public.*—3ª· and passed: Copyhold and Customary Tenure Act Amendment.

Received the Royal Assent.—Exchequer Bills.

Private.—1ª· Berwick-upon-Tweed Corporation.

2ª· Preston Waterworks; Neath Harbour; Newport (Monmouth) Gas.

Received the Royal Assent.—Manchester Corporation: Cromford and High Peak Railway; Hungerford and Lambeth Suspension Bridge; Ipswich Docks; Brighton and Hove Gas; Imperial Continental Gas; St. Helen's Waterworks; Birkenhead Cemetery; Schoolmasters' Widow's Fund (Scotland); Trentham Roads; Charlwood Inclosure; Great Gransden Inclosure.

PETITIONS PRESENTED. By Lord Redesdale, from Coal Mines in Fife, against the Mines and Collieries Act.—By the Duke of Rutland, from Ashby-de-la-Zouch, and Framland, against the Union of the Sees of St. Asaph and Bangor.—From Milford, and Belper, for the Total and Immediate Repeal of all Corn and Provision Laws, and for Free Trade.—From Carlisle, against the Bankruptcy Law Amendment Act.—From the General Assembly of Scotland, for Measures to settle the Scotch Church Question.

REPEAL OF THE UNION.] The Earl of *Roden* rose, pursuant to the notice he gave last night, that it was his intention to ask a question of her Majesty's Government, with respect to the excitement which prevailed in almost every part of Ireland on the subject of the union, to carry that intention into effect. He trusted that he might be allowed, considering the great importance of the subject, to preface his proposition with a few observations respecting what he must call the awful subject of the repeal of the union. Nothing but the importance of the subject could warrant him in taking up the time of their Lordships with any considerations connected with the notice which he had given, and he apprehended there were few or none of their Lordships then present who were not in some degree acquainted with the excitement which exists, and which had existed for a considerable period in Ireland on the subject of the repeal of the union. The great cause of this excitement was the assembling together in different parts of the country of immense masses of the people, and those assemblies being addressed by demagogues, and he regretted to say, addressed by Romish priests in language the most seditious and the most violent—language which, he must say, tended to inflame the minds of the people, and tended to nourish in them a hatred towards England, and towards the connection with this country. Such of their Lordships as had not witnessed these effects as he had, could not conceive the conspiracy—he must call it a conspiracy—could not conceive the extent of the conspiracy, nor the violence and intimidation which at present prevailed in every part of Ireland. He was aware that he was speaking strongly on this subject; but he was anxious to speak so; it was his duty, and his duty earnestly to bring the subject under their Lordships' notice. He was anxious to state the truth, the whole truth and nothing but the truth, to demand the attention and obtain the assistance and support which he had a right to ask from her Majesty's Government. He had lately come from that part of the country, and such a state of things as now existed in Ireland he never, in the whole course of his life, which was now not a short one, was acquainted with. The people of Ireland entertained very generally feelings of alarm and distrust, such as amongst the loyal part of the people of that country he had never known before under similar circumstances. That distrust and alarm did not arise from the violence and threats of demagogues, for they could meet those threats as they had met similar threats before, but it arose from a circumstance to which he lamented to refer, but which he felt it his duty to refer to, and that was the silence and the apparent apathy of the Government while these proceedings were going on, proceedings entirely subversive of the peace and prosperity of the country. No one would venture to suppose that her Majesty's Government were not most anxious to put an end to the growing evil and to the baneful crimes which must result from it, but the loyal subjects of her Majesty had a right to have some mark and sign of opinion of the Government, and some declaration that it would support those who were anxious to maintain the public tranquillity. They had a right to require that the Government should express their determination to uphold the integrity of the empire. He could assure their Lordships that the loyalty of a large portion of the people of Ireland was as sound and as pure as ever it was at any period. He did not confine that remark to the Protestant population, but many of the Roman Catholics he knew deprecated the present system of agitation, though he lamented to say, many of them had been compelled to join the cry through intimidation, and not from any good will. His countrymen he could assure their Lordships were as loyal as ever they were, and he could answer particularly for the people of Ulster, with whom he was more immediately connected, that they were as willing to perform that for their country in 1843, which they performed so successfully in 1798; but in order to bring this to a successful termination, they demanded and required, and had a right to look for the cordial co-operation of her Majesty's Government. The circumstances in which they were now placed with respect to this cry for the Repeal of the Union were much more serious than at any former period. The difference between the evil in 1830, when the Government met the cry with firmness and determination, and the present time was that then the cry of repeal was supported only by demagogues and one particular class of persons; at that period he believed there was not a single Roman Catholic priest, nor one Roman Catholic bishop who was in favour of it; but now it was far otherwise; and, therefore, as the danger was so much the greater, it required tenfold energy to put it down. If the former Government exhibited firmness and determination to oppose the Repeal of the Union, it became the present Government, as a true friend to Ireland, to state its opinion and avow its determination to maintain the integrity of the empire. In the circumstance to which he had referred in 1830, when a noble Friend of his (the Marquess of Anglesey) was Lord Lieutenant of Ireland, though at that time the Coercion Act was in existence, his noble Friend conceived the agitation for the Repeal of the Union was a subject of paramount importance, and he issued a proclamation to put an end to the agitation. The Government of that period with which he found no fault, followed up the same course in 1831. The act of the Lord-lieutenant was described by some persons as unconstitutional, but it was defended by Lord Althorp in the House of Commons, and defended in that House. In 1831 Lord Althorp expressed himself on the subject, in reply to Mr. O'Gorman Mahon, in the following manner, and he earnestly begged the attention of their Lordships to Lord Althorp's language:—

> "The case with respect to the Government is this; the hon. Member for Waterford, has, it is well known, been exciting so much discontent in Ireland—has been keeping up what

he calls agitation in that country—that although the conclusion of every speech, however violent or inflammatory, has been an advice to his auditors to be obedient to the laws, it must be evident to every unprejudiced man who has read those speeches, or who has marked the course which the hon. Member has been pursuing, that his language and conduct has had but one tendency,—namely, to incite to insurrection and rebellion throughout the country. I repeat it, their direct tendency has been as I describe it. What, I ask, has been the avowed object of the hon. Member for Waterford's agitation? To obtain a Repeal of the Union. I would beg to ask any man, who has considered what the Repeal of the Union must produce, whether it does not become the duty of Government to employ every means in their power to prevent the accomplishment of an object which must directly lead to an entire separation of the two countries. Sir, I trust that those who seek for a Repeal of the Union will not succeed. If they do succeed it must be by successful war, and, from the spirit of my countrymen, I hold that to be impossible. The hon. Member has made allusion to such an extremity. I tell him that no man entertains a greater horror of war than I do; and of all descriptions of war I think a civil war is most to be dreaded. But, Sir, I also tell him, that even civil war itself would be preferable to the dismemberment and destruction of the empire. I have felt it my duty to state thus fairly and boldly what are the views of her Majesty's Government on this momentous subject."

Such was the bold and manly language of Lord Althorp. The noble Lord's speech on that occasion was responded to by the then Leader of the Opposition, his right hon. Friend, who was now the First Minister of the Crown, and to the speech of his right hon. Friend, he would beg leave now to refer, in confirmation of what was said by Lord Althorp, Sir Robert Peel said,—

"Since the question has been agitated, it becomes every man who takes a lead in the discussions of this House to come forward and declare whether he has or has not irrevocably made up his mind to stand by the executive government—whether he has or has not determined at all hazards to maintain the legislative union of the two countries, and to prevent the dismemberment of the empire. This is now the domestic question of paramount importance. I should be ashamed of myself if I did not cast into oblivion all party political feelings which may have existed between myself and the right hon. Gentleman opposite. I should be ashamed of myself if I did not cast them aside, and, without hesitation, express a steady determination, by all the means in my power, to support the King's Government in every extremity of maintaining inviolate the union with Ireland. It is the duty of the Government, even in the dreadful extremity to which the noble Lord has alluded, the extremity of a civil war, to prevent a dismemberment of the empire. If the union with Ireland is to be dissolved, why may not Scotland and Wales demand the same? Why should not the empire be broken up altogether? It is to me perfectly clear, that the safety and well-being of the empire cannot be preserved but by the maintenance of the union; and to maintain that union the Government would, in my opinion, be justified in resorting to force. How much more incumbent, then, is it on them to resort to every legal measure, however severe, to prevent a recurrence to that more dreadful alternative, a civil war. Government would, indeed, be deeply responsible if they did not employ every legal and authorised means to avoid the necessity of employing the more dangerous method. If the law may be unable to stay the progress of those who desire a Repeal of the Union, still the Government would be highly to blame should it afterwards dye the scaffold or the plains of Ireland with blood, without having first tried all the existing authority of the laws."

The noble Earl continued: he had quoted these opinions to show their Lordships what was then thought of the important subject to which he was calling the attention of their Lordships. They might be told, perhaps, that the laws as they now stood were insufficient to put down the enormous evils of which he complained; but before he adopted that conclusion, he would ask, had the existing laws been tried? He had seen no efforts made to put down those meetings; on the contrary, he had seen magistrates, who were bound to preserve the peace of the country, attend those meetings which were deplored and deprecated by right minded men of all parties, and not only attend them but preside over them, and those magistrates, he regretted to say, yet held, he believed, her Majesty's commission. If the laws were not sufficient there was no doubt, that his noble Friends were quite strong enough, and had power sufficient in Parliament, with the assistance of noble Lords opposite, to obtain sufficient power to stop the agitation *in limine,* and prevent the most baneful effects which must be produced if that agitation were continued. The same spirit, he was convinced, would animate his right hon. Friend at the head of the Government, as animated him in 1831, when in opposition, and he would be as ready now to give the Government all necessary power to maintain the integrity of the empire as he was then. He was sure, that the Government would feel it a duty to confirm the loyal population in their attachment by giving them proofs that it did not look on this subject with indifference, and he was sure that the Government would exert itself to preserve the peace of the empire, and give the loyal people of Ireland that security which they called for, and had a right to expect. He was sensible, that he had gone to greater length than was usual into this important subject, when he only rose to put a question to her Majesty's Government, but he hoped he should receive their Lordships' pardon on account of the interest he took in the subject. He could only add, that he hoped her Majesty's Government would weigh well the important danger with which the country was threatened, and provide the necessary remedy. He hoped, that the Government would, if necessary, exert its utmost strength to put an end to the agitation, to give encouragement, strength, and confidence to the loyal people of Ireland, of all sects and denominations, and to convince the agitators and all the world, that it was determined to maintain the integrity of the empire. He would conclude by asking her Majesty's Government whether it were aware of the dangerous excitement which at present prevailed in several parts of Ireland on the subject of the Repeal of the Union, to be carried by large assemblies of the people, who were addressed by demagogues, in violent and seditious language; and whether it were the intention of her Majesty's Government to take any measures to repress the evils of such meetings, to guard against the consequences which must ensue, and to maintain unimpaired the legislative union between the two countries.

The *Duke of Wellington*, in answering the question put by his noble Friend, did not feel it necessary to follow his noble Friend through the speech by which he had prefaced his question. He must say, however, that his noble Friend was perfectly justified, by the circumstances of the case, in departing from the strict rules of the House. It would not, however, be necessary for him to go into any lengthened details, and he should give a brief answer to his noble Friend's question. The Government of Ireland was sensible of the state of excitement existing in a part of Ireland on the subject of the union, and it was sensible of the danger which might be the result of that excitement. The attention of the Government had been given to that state of excitement, and to the measures which had been adopted in order to keep it up; and the Government of Ireland and her Majesty's servants here had adopted measures in order to enable the Irish Government with certainty to preserve the peace in Ireland, should any attempt be made to disturb it, and to prevent the successful result of any measures to disturb tranquillity which any mischievous person in Ireland might have in contemplation. There could be no doubt, though he was glad that his noble Friend had read extracts from the records of the proceedings of Parliament to confirm it—but there could be no doubt whatever that the sense of the Legislature had been declared, and that it had been, and was at the present moment resolved to maintain inviolate the legislative union between the two countries. It was therefore the duty of her Majesty's servants to take every measure in their power that could tend to maintain that union, and prevent any disturbance which might tend to break the peace of the country. He could not doubt the continuance of that desire on the part of the existing Parliament, he might say the anxiety of Parliament to maintain inviolate the legislative union, as had been declared in the addresses of the year 1834, upon the motion of a noble Lord in the other House of Parliament, and of a noble Earl in that House. There could be no doubt of the intention of her Majesty's Government to maintain the union inviolate; it was the duty of every government, and he would say it was the determination of her Majesty's present Government to maintain that union inviolate, and to come down to Parliament and call on Parliament to give her Majesty's Government its support in carrying into execution any measures which may be considered necessary to maintain the union inviolate, and preserve from disturbance the peace of her Majesty's dominions. He would now read to their Lordships the joint address of both Houses in 1834. It was as follows:—

> "Our fixed determination to maintain unimpaired and undisturbed the legislative union between Great Britain and Ireland, which we consider to be essential to the strength and stability of the empire, to the continuance of the connection between the two countries, and to the peace, and security, and happiness of

all classes of your Majesty's subjects. We feel this, our determination, to be as much justified by our views of the general interest of the State, as by our conviction that to no other portion of your Majesty's subjects is the maintenance of the legislative union more important than to the inhabitants of Ireland themselves."

That was the opinion of her Majesty's Government at the present moment; that opinion he felt confident would now receive the support of Parliament; and on that opinion her Majesty's Government would invariably act.

Lord *Brougham* said, that he felt quite confident that his noble Friends who sat near him remained silent on the present occasion simply because they considered, as every one must, that there could not exist the possibility of any doubt or hesitation in agreeing heartily to the observations of the noble Duke opposite. He deemed it only necessary to add, that, if he addressed the House in support of that joint address which the noble Duke had quoted from, and which was laid at the foot of the Throne in 1834, the experience of nine years, and everything that had happened in those nine years, as well in England and Ireland as abroad in Europe, had only strengthened his opinion that the severance of the Legislative union (for that was the phrase under which the real object of these hardly lawful and most unconstitutional proceedings was cloaked) meant in reality the disruption of the empire itself, and the entire dissolution of the integrity of that empire; and no man could doubt that to prevent such a catastrophe, which would be the ruin of one of the greatest (if not the greatest) monuments of civilization which human wisdom had ever reared—that to prevent that grievous catastrophe, grievous to England, more grievous, if it were possible, to Ireland, and grievous to the whole human race; the uttermost exertions of the power of this country its moral force, its legislative force, and its physical force, would be put forward cheerfully and anxiously and heartily, at the first intimation on the part of her Majesty's Government, that any such extraordinary exertion was by them deemed necessary for a purpose of such paramount importance. Let their Lordships recollect the majority by which the address referred to by the noble Duke was passed in 1834; and let those who cherishad the hope that they might receive some support in this country for their abominable projects in Ireland, also recollect what took place at that period, and then let them feel their hearts sink within them. Of all the Members for England, Wales, and Scotland, who were attempted to be seduced by one factious appeal or another, by one topic of declamation or another, by pressure from without doors, and by intrigue and agitation within doors, how many did their Lordships think were found so forgetful of their duty to their country, and so bereft of all common reason and sense, as to support that wild project of the repeal of the union? But one single British Member was found to support that project; and that Gentleman had ceased to adorn the House of Commons. It was his belief that now there would not be found one single British voice raised in support of this mischievous project. He was reminded by his noble Friend (Lord Monteagle) that 523 Members of the House of Commons voted for the address to the Crown, including Irish, Scotch, English, and Welsh, and in opposition to them was found only one solitary British vote. He (Lord Brougham) entertained no fear whatever of the result of these agitations; but, if he entertained no such fear, it was because he knew his noble Friends opposite too well to believe that they were capable, for the sake of courting any fleeting, trumpery, base popularity, of taking a course of what was called concession and conciliation towards those who wished to destroy the empire—which had the uniform and inevitable effect of making enemies of your friends, and making your enemies despise you.

The Marquess of *Lansdowne* said, the noble and learned Lord had ascribed his silence to the right motive; and he could assure their Lordships that it was not founded on any want of sympathy with the sentiments and opinions of the noble Duke. He might have risen earlier, but he observed with the greatest satisfaction in every part of the House—he might say such feeling universally pervaded the House—a desire to give that firm support to the Government on which the noble Duke justly stated he relied, and which he might add, he was sure would also be found in the other House of Parliament. Both Houses, he was sure, would be ready to accede to all those measures which the Government could at any time require to enable them to maintain inviolate the connection between Great Britain and Ireland, founded on the union—a connection which, as the noble Earl and the noble Duke said, had been so beneficial, and which, after forty years' experience, had been confirmed by that joint Address to the Throne to which the noble Duke had referred. That Address was moved by his noble Friend, Earl Grey, in their Lordships' House; and moved in the other House by his noble Friend whom he had now the happiness to see amongst their Lordships (Lord Monteagle)—and moved by him in a speech which was worthy of the occasion, and which would be for ever remembered. In that Address every Member of the Government cordially concurred; it was supported by every Member of the Government which succeeded—that of Lord Melbourne; and it met with the concurrence of the right hon. Gentleman (Sir Robert Peel) who succeeded Lord Melbourne. That Address, he believed, represented the opinions on the subject of the repeal of the union of all the leading persons of every party in the country. The views which he entertained on the subject then he entertained now; and every event that had since occurred, every improvement that had taken place in civilization and in communication, since that period, had only served to link the two countries more firmly together, and make it less advantageous to both, and more impossible, to effect that separation which was stated to be the object of many persons in the other part of the United Kingdom. Therefore it was, that he concurred most heartily in the statement of the noble Duke, and therefore he was convinced that any measures which attempted to disturb this union, at the same time that they would be based on deception, would be met by a firm determination on the part of their Lordships to oppose them, and that determination being based on justice would be powerful to effect its object, that of preserving the union between the two countries.

The Marquess of *Downshire* considered that the reply which the noble Duke who represented her Majesty's Government in that House, had given to the noble Earl deserved the thanks of every loyal and well-affected man in Ireland. He himself took the deepest interest in the welfare of that country, and he could assure their Lordships that what had just taken place had given him the utmost satisfaction. The determined front assumed by the noble Duke would do more to settle the minds of the people of Ireland than any thing which had passed this Session.

Conversation at an end.

THE SCOTCH CHURCH.] Lord *Campbell* rose, pursuant to notice, to present a petition relative to the Church of Scotland, which he had deferred from Friday last to this day, at the request of the Marquess of Breadalbane. The petition was from members elected to the General Assembly indicted to meet at Edinburgh on the 18th of May current, and it prayed for the adoption of measures to render nugatory the illegal proceedings occasioned by *quoad sacra* ministers and elders having been elected members of the Assembly. Their Lordships' attention had just now been directed to the distracted state of Ireland, and he regretted that it was his painful duty to call upon them to listen to an account, that of the distracted state of another portion of the empire—he meant Scotland—as regarded the Church of that country. After briefly adverting to the government of the Church of Scotland the noble and learned Lord said, a plan had been lately adopted by the Church of making new parishes, and permitting the incumbents of those new parishes, who were called *quoad sacra* ministers, to vote for deputies to the General Assembly. Their right to act in this way was contested and decided against by the court of law in Scotland; but an appeal to their Lordships was lodged, and the petitioners who signed the petition he had to present to their Lordships complained of the purpose for which that appeal was instituted, and of the manner in which it was conducted. After the decision of the court in Scotland these *quoad sacra* ministers voted for deputies to the General Assembly, under the plea that their right was not definitely decided against, as an appeal had been instituted; and as many as thirty-four of them, he believed, were elected deputies; and this done, immediately after the elections the appeal was withdrawn. The petitioners stated that they were assured that these *quoad sacra* ministers, being thus elected, meant to claim their right to sit and vote in the General Assembly; and that thereby a colourable majority might be obtained to destroy the constitution of the Church of Scotland, and for passing a vote which it was said was to be proposed for separating the Church entirely from the State. The petitioners prayed the House to guard against so great an evil by some legislative enactment. After great consideration he thought that no legislative enactment was expedient or necessary. He could not believe that after the solemn decision of the Supreme Court in Scotland, these *quoad sacra* ministers would present themselves as members of the General Assembly, in defiance of the law. But, if they should present themselves, it was his firm belief that they would not be permitted to sit. The Lord High Commissioner, representing Her Majesty in the General Assembly, would not continue at an assembly where the law was set at defiance. He placed confidence in the prudence of the people of Scotland, and he thought there was reason to believe that the danger which was threatening might pass away without legislative interference. In the leaders of the party he placed no confidence whatever. He trusted, however, they would yet see the error of their ways and cease from further urging on their deluded followers. If they did so, he had some hope that those whom they were trying to mislead would, upon reflection, become satisfied that there was no ground for the step which they were seeking to have adopted. All that the House of Lords had determined was, that the Presbytery were bound to make trial of the person presented to a living by the undoubted patron. That House had decided that, and nothing more; so that if the Presbytery were of opinion that the person so presented was deficient in literature or morality, or had some personal defect, he might still be rejected. No one ever thought of encroaching on that power, which most undoubtedly belonged to the ecclesiastical courts. Where, then, was the ground of grievance? or why should a power be now asked for the Church which it never enjoyed, and which his noble and learned Friends said it ought not to enjoy? What was inducing members of the Church to leave it on all sides, notwithstanding the willingness which had been expressed to confer new powers upon them, instead of depriving them of powers they had hitherto enjoyed? He was disposed to make concessions, but the question was, in what shape they should be made? He could not say that he concurred in those proposed by the bill of the noble Earl opposite, which gave, in his mind, a dangerous power of check to the Church. He would prefer seeing that check conferred upon the people. The language used upon this subject was most appalling. Those who had eagerly supported the Establishment, had expressed themselves hostile to all voluntary churches, and shown a great antipathy to Dissenters, were now, not only determined to leave the Church themselves, but, as far as their power extended, to utterly overturn and subvert it. In that object, however, he did not think they would receive much support. It was said, that they were required to obey their ecclesiastical superiors in all things, but such was not the fact; they were obliged to do so only in the case of all lawful commands. Suppose the General Assembly should come to a resolution that patronage was to be abolished, or that the oath of allegiance was to be dispensed with, or that all should be deposed who did not contribute to the Non-intrusion fund—was it to be said that such an act of the Assembly would be binding, or that those who had taken an oath to obey their ecclesiastical superiors would be under the necessity of obeying that law? No such thing. The first pledge of the minister was to be true to the Establishment. That was the first and most binding oath which the minister made at the time of his ordination. It was, besides, declared by an act of the Assembly that no one could, under the pretence of zeal for the doctrines of the Church, seek to alter or subvert its discipline. With regard to the convocation which took place last November, he condemned it as unconstitutional and unwise. A great number of well-meaning, but not very enlightened, ministers in the country were inveigled to that meeting by great names, and were there told, as he believed, that, if they entered into the pledge proposed, the Government would be frightened, and must succumb, and that there was no danger of any secession whatever. The pledge was given, and they were held to it by being told that, if they departed from it, they would be covered with infamy in this world, and doomed to everlasting sufferings in the next. He hoped those men would reconsider the course they had pursued, and that they would recollect that they were bound to the

Established Church as it now existed, and that great injury must arise from the plan they proposed. He should grieve to see the Church of Scotland, which had hitherto enjoyed the confidence and affections of a vast majority of the people, become, like that of Ireland, the Church of the minority. Although there might not be any necessity for legislative interference, yet the expression of their Lordships' individual opinions on the present occasion might have a salutary effect. He was sure the noble Marquess behind him and the noble Duke opposite—the illustrious chief of his race, both friends of civil and religious liberty, were not prepared to say that there was any ground for the secession that was going on, or for the threats of destruction which were made against the Church by those who had sworn to defend it. The noble and learned Lord concluded by presenting the petition.

The Marquess of *Breadalbane* did not see what object the petitioners had in coming before that House. They asked generally for legislation; but the question they asked it on was purely ecclesiastical, that question being whether those *quoad sacra* ministers were really legal members of the Presbytery, and whether they could be chosen as representatives to the General Assembly. He must confess that he thought their Lordships would best consult that conciliatory spirit which was especially called for on the present occasion by not passing any opinion on the subject, but allowing the General Assembly practically to solve the question, thereby giving the Assembly an opportunity of acting in that manner which the best friends of the Church would wish to see them act in. On a former evening a noble Lord observed, that there had been no interference as yet with the ecclesiastical privileges of the Church of Scotland; but, in reply to that, he would quote a remark of Lord Moncrieff, judge of the Court of Session, and one of the ablest men on the bench, in giving judgment in a question lately brought before him. Referring to that very topic, he said,—

"That the demand of the pursuers amounted to a sentence of deposition or suspension from the spiritual functions of the ministry to be pronounced by the Court of Session on the majority of the ministers and elders of the Presbytery of the Church, who had not been disfranchised by any legal process, and that if they were competent he knew not what shred of spiritual independence was left to the Church of Scotland."

This was most decided language, and well worthy the highest respect and consideration. He would at once refer to the point which had led to these collisions between the civil and ecclesiastical powers in Scotland—namely, the mode in which ministers should be appointed to the parishes of Scotland. In the endeavour of the Church to assert its principles it went too far, and interfered with the civil rights. The courts took cognizance of this, and declared the Act of Assembly respecting the appointment of ministers illegal. Then the judgment of that House declared that the Presbytery had no right to decide, except upon the technical qualifications of the person presented; but their Lordships would see that that decision wrested from the Presbytery a power which they had always previously possessed, namely, the power of judging of the general suitableness of the presentee. The Presbytery ought to have the power of seeing, not merely whether the presentee possessed the necessary amount of learning, but whether he possessed the physical capabilities of communicating it, and this very useful and important power their Lordships had taken away. On this point the people were the best judges; that is, whether they could be edified by the doctrines of the minister. Another point was, whether the Presbytery were judges in purely spiritual offices, without the coercion of the temporal courts. The spiritual independence of the Presbytery of the Church of Scotland was guaranteed by statute, and had been founded on custom and usage. A third point was, as to the power of the Church to provide for the spiritual wants of the country in proportion to those wants. For this purpose, the persons in question had been appointed to parishes, but only *quoad sacra*, merely as to pastoral superintendence; and to deprive the Church of the power of supplying the spiritual wants of the country in proportion to those wants, was to deprive it of a most useful and beneficial power. He trusted that his noble Friend the Secretary of State for Foreign Affairs would be able to enunciate the views and principles of the Government upon this great and important question, for he was convinced that the enunciation of the views and principles upon which her Majesty's Government were prepared to act, would afford the means of arriving at a solution of the question, and of preventing that disruption of the Church which must inevitably take place at the next session of the General Assembly unless some concession were made.

The Duke of *Argyle* made a few observations, but they were quite inaudible.

The Earl of *Aberdeen* had hoped that the letter of his right hon. Friend the Secretary of State for the Home Department to the Commissioners of the General Assembly, and the declarations which he had made in that House, would have been sufficient in the way of explanation of the views of Government to have rendered unnecessary the appeal which his noble Friend had made to him. He did not know what he could now add to that explanation, but he had no objection to repeat it, if it could afford any satisfaction, His noble Friend might be assured that her Majesty's Government felt a great desire to witness the termination of the unfortunate dispute which agitated the Church of Scotland, and to avert by every means in their power a disruption of that church by the secession of some of its ministers, followed, as it would probably be, by a considerable proportion of the most pious and orderly of the people of Scotland, and that, to prevent it, they were ready to make any sacrifice—that was, any sacrifice consistent with their paramount duty to the country, and a regard for the real interests of the Church itself. Before any attempt of this kind could be made it was necessary to see whether there was any chance of its being attended with success, and to take care in making the attempt not to incur evils as great as it was intended to remedy; and he thought that under existing circumstances, if the Legislature were now to sanction the triumphant contempt of the judgment of that House, and the open defiance of the law, it would create greater evils than it would remedy. Let their Lordships look at the position in which the Church had placed itself, through the conduct of the leaders who had had the guidance of this unfortunate dispute. Not only had they refused to repeal the Veto Act, but from year to year they had gone on to assert their determination to maintain it, and in the last communication from the commissioners of the Assembly he saw no disposition to abandon an act which had been declared by that House to be illegal. It was said that the election of those persons took place during the pendency of the appeal to that House; but the appeal did not alter the law as declared by the courts below; the law did not require to be confirmed by the decision of that House, though the House might reverse the decision of the inferior courts. The election of the ministers was, therefore, equally illegal whether an appeal was entered to that House or not, and those gentlemen placed themselves in a responsible situation if they claimed, under such circumstances, to enforce a right to become Members of the Assembly. If the leader of that party in the Assembly were prepared to be satisfied with the enjoyment of all the rights and the power which the Church of Scotland had ever by law possessed (except during a short and troublous period), there would be no great difficulty in dealing with the subject; but, if they were determined to assert claims quite unheard-of in the history of the Church, even at a time of the greatest violence, when the monarchy was overthrown and the Church triumphant,—if they insisted upon maintaining these claims, setting up rights utterly inconsistent with the civil and religious liberty of this Protestant country, and establishing a domination at once odious and degrading, her Majesty's Ministers could not only never give their assent to such pretensions, but would oppose them by every means in their power. With respect to the observations of his noble and learned Friend opposite (Lord Campbell), his noble and learned Friend, whilst he gave him credit for not impugning the judgment of that House in the Auchterarder case, had said that he had made use of observations inconsistent with that decision. His noble and learned Friend had done him no more than justice in supposing that he had not any intention of impugning that judgment; on the contrary, he considered it a most just and righteous judgment; but, although he coincided in the correctness of that judgment, it did not follow that, if the noble and learned Lord made a speech of two hours in delivering the judgment, he was to assent to everything contained in that speech. He had heard the late Lord Eldon say, that a wise judge would never give any reasons when he affirmed the judgment of a court below, because his judgment might probably be right and his reason might be wrong. Now, the reasons which had been given in pronouncing the judgment in the Auchterarder case had tended to unsettle the minds of the people of Scotland, and to produce the results which had taken place. In the Auchterarder case the question of the qualification of presentees had not been decided; it had arisen only incidentally in the courts below, and no opinion had been given upon this point, except *obiter*, by the noble and learned Lords in affirming the judgment, and if the point had been argued before them their opinion might have been different. He knew what the opinions of all the judges of the Court of Session were upon this point, though they had not been called upon to decide it. The Lord President took no notice of it, but the Lord Justice Clerk did, and said that,

> "Prior to the Veto-act, the Church uniformly had the right of determining on the objections of any members of the congregation to the qualification and fitness of the presentee; the great advantage of which was, that no man could be inducted into a benefice without the assent of the Church to his collation after hearing the objections of the congregation, and no man could be set aside without an opportunity being afforded to the Church of openly ascertaining the validity of the objections to him, and that they were not merely the result of causeless prejudice."

Lord Meadowbank said,

> "If objections are offered to the admission of a presentee, it is the duty of the Presbytery, being in the place of the ordinary, to take notice of the objections, and hear the reason of dissent; but the power of determining rests with the Presbytery alone."

Lord Corehouse took the same view of the subject, observing that,

> "No one was allowed to be inducted in the face of a dissent, provided it was founded on good reasons, that the voice of the people was always heard, but the reasons of the dissent were judged of by the Presbytery."

All the judges argued against the veto, but were still of opinion that the people might object, and that the Presbytery decided as to the validity of the objections. This was the opinion of the judges who pronounced the decision which had been affirmed by that House, and therefore there was nothing inconsistent in concurring in the decision of the Auchterarder case, and at the same time entertaining the opinion he had expressed. He admitted, that if the question of fitness had been argued before the noble and learned Lords, and they had decided the point, he should adopt their judgment as implicitly upon that point as he did upon those which they had decided in the Auchterarder case; but as it had not been argued, as they had only pronounced an opinion in passing, he did not think it necessary, supported as he was by the opinion of all the judges in Scotland—for he believed all concurred in the doctrines he had expressed—to acquiesce in the opinion of the noble and learned Lords. He had the more reason to adhere to this view of the question, because he knew, that with all the learning, and intelligence, and power of the noble and learned Lords, still it was not the law of England they were investigating, but a law to which their prejudices (for all had prejudices) were hostile. He must say, that seeing as he did what were the opinions of the judges in Scotland, the noble and learned Lord must forgive him for saying, that till the question had been argued before them, he should adopt the opinion of men who had made the law of Scotland the study of their lives. He could only repeat, that under the circumstances, her Majesty's Ministers had but one desire—to see this lamentable state of approaching anarchy in the Church of Scotland terminated. His noble Friend (Lord Breadalbane) had given the Assembly some good advice, which they would do well to adopt, and he hoped that his noble Friend would use the influence he possessed with many of the Members to reconcile them to a course of proceeding with reference to this question which might have the happy effect of restoring peace within the walls of that Jerusalem to which they were both such sincere well-wishers.

The *Marquess of Breadalbane* asked whether the noble Earl was prepared to allow that the decision of the Church-courts should be final, except that they should not interfere with civil rights?

The *Earl of Aberdeen* said, he had stated the principles which the Government were prepared to adopt, namely, that the congregations had a right to object, and that the presbytery were to judge of the reasons, and they were bound to give great latitude to objections to the fitness of a presentee.

Lord *Brougham* said, the noble Earl had observed that the opinions to which he had alluded, delivered by his noble and learned Friend and himself, were not necessary for the decision of the particular question before the House, and that if the point had been argued they might have come to a different conclusion upon it. But the noble Earl was ignorant of the case if he supposed that the points were not argued. The points were argued by one side though not upon the other, and they would of themselves have decided the question, and have gone far to shake the grounds of the Auchterarder case in the court below. To adopt the opinion and proposition of his noble Friend behind him (the Marquess of Breadalbane) would be just the same as if in a dispute between two contending parties one were to be allowed to decide for both. With respect to the question of patronage, he (Lord Brougham) was perfectly satisfied that the law of Scotland was perfectly decisive upon the subject. If it were to be allowed that the presentee of the patron could be rejected by the congregation, no matter how satisfactory he otherwise might be in life, literature, and conversation, there would be an end to patronage; but that was not the law of Scotland, and he hoped he should never live to see the day when it would be. If such should ever be the case, the pulpit would be made a place for canvassing, and every species of indecency derogatory to religion would ensue. At the same time, though such was not the law of Scotland, the congregations were not excluded from expressing their objections to a presentee, or from stating the grounds of those objections; but, the patron having made his presentation, if no allegation could be sustained against the life, literature, and conversation of the person so presented, he must be by law the clergyman of the parish. If that were not so, patronage would be a mere mockery. It would be a good ground of objection if a person who could not speak Gaelic were to be presented to a parish where the English language was not understood, or if a minister who could not speak English were presented to a parish where one part of the inhabitants spoke English and the other Gaelic. These would be good grounds of objection, but it was no ground where life, literature, and conversation were admitted, to object merely out of caprice. Let the congregation, by all means, have the power of objection, but do not, at the same time, let them control the patronage. He had heard, with great satisfaction, what had fallen from his noble Friend opposite (Duke of Argyll). His noble Friend, however, had, he feared, not been heard with sufficient distinctness in that place where it was most important that he should be heard. He thanked his noble Friend for the very important advice which, in the conclusion of his observations, he had given to his countrymen, by whom he was deservedly looked up to, and by whom he (Lord Brougham) was satisfied his advice would be received with attention and respect. He hoped the advice would be followed, and that those who now threatened a secession from the Church would pause before they carried their threat into execution; for, as had been well observed by the noble Duke, under the circumstances of the case, they ought to rest satisfied with what they had got and with what they were likely to get, and not by discussing minor differences hazard the more important object involved in the peace and integrity of the Establishment. That he considered would be a most deplorable event, which he trusted would not take place; for he did not believe, as the noble Earl (the Earl of Aberdeen) appeared to think, that the seceders would take with them any great number of the most pious and orderly of their flocks.

Lord *Campbell* expressed himself agreeably surprised at the tone which the discussion of the petition had assumed. He hoped that the party who now considered themselves the dominant party in Scotland would see that they were mistaken; that if they persisted in their parricidal attempts they would be defeated; and that the Church of Scotland would continue undisturbed, to dispense the blessings of religion through many future ages.

Petition to lie on the Table.

Their Lordships adjourned.

HOUSE OF COMMONS,

Tuesday, May 9, 1843.

MINUTES.] BILLS. *Public.*—3°· Queen's Bench Offices.

Private.—2°· Bardney etc., Drainage.

Reported.—Paisley Municipal Affairs; Bethnal-green Improvement.—Faversham Navigation; Lagan Navigation: Northampton and Peterborough Railway.

3°· and passed:—Berwick-upon-Tweed Corporation; Anderton Carrying Company.

PETITIONS PRESENTED By Lord Marsham, and Mr. Astell, from Binstead, and other places, against the Canada Corn Bill.—By Mr. Miles, from Bishport, Bath, and Bedminster, for Church Extension.—By Mr. Ferrand, from Yorkshire, against the Truck System.—By Messrs.

G. W. Wood. Greene, Strutt, R. Yorke, Standish, H. Berkeley, Brotherton, Christie, B. Smith, Cobden, Williams, Gisborne, Heathcoate, Leader, Morrison, Aldam, Morris, Oswald, Scott, Hollond, E. Buller, Bowes, Hawes, Ricardo, T. Duncombe, Hume, M. Philips, Ewart, Towneley, W. Ellis, and Matheson, Dr. Bowring, Sir C. Napier, Lord Dalmeny, Sir G. Strickland, Lord Palmerston, Colonel Anson, Lord John Russell, Captain Pechell, Sir L. Hay, Lord J. Stuart, Lord H. Vane, Sir J. Guest, Captain Bernal, and Messrs. B. Wood, Hindley, Aglionby, S. Crawford, Hastie, Cowper, M. Gibson, and Villiers, from an enormous number of places, for the Total and Immediate Repeal of all Corn and Provision Laws.—By Messrs. Hindley, Bowes, B. Smith, Tancred, and Scott, Lords Dalmeny, and Duncan, and Dr. Bowring, from an immense number of places, against the Factories Bill; from Deighton, and Stainland, in favour of the same; and from Dewsbury, Bradley and Clifton, for further limiting the Hours of Labour.—From Calton, for the Repeal of the Corn-laws and Property Tax.—From Sheffield, and Kingston-upon-Hull, against the conduct of the Magistrates during the late Disturbances.—From Friockheim, Carmyllie, and Knaresborough, against Machinery.—From Liverpool, and James Oakes Bridge, against the Players of Interludes Bill.—From St. Asaph, against the Union of the Sees of St. Asaph and Bangor.—From Hastings, against the Income-tax.—From Alnwick, for Reducing the Duty upon Sugar and Coffee.—From Banff, for Repeal of Laws affecting the Importation of Corn and Sugar.—From Great and Little Yeldham, for Inquiry into the Affairs of Maynooth College.—From Chairman of Meeting at Sheffield, for Inquiry into the Trial of William Jones for Sedition.

UNION WITH IRELAND.] Viscount *Jocelyn*: I rise for the purpose of asking my right hon. Friend at the head of the Government whether the Government is aware of the fearful excitement which has prevailed for some weeks past in Ireland on the subject of the Repeal of the Union; and, if so, whether the Government is determined to take any steps for its repression? I likewise wish to know whether my right hon. Friend has any objection to state, for the satisfaction of the loyal people of Ireland, whether or not the Government is determined to maintain, at all risks and hazards, the inviolability of the legislative union between Great Britain and Ireland?

Sir *R. Peel:* I rejoice that my noble Friend has given me an opportunity of making, on the part of the Government, a public declaration on the important subject to which he has called the attention of the House; and I think it necessary, on this occasion, to remind the House of what has been, within no very distant period, the publicly recorded opinion and engagements of the Crown and both Houses of Parliament with respect to the legislative union of Great Britain and Ireland. In 1834 the Sovereign of this country, in addressing the Parliament, used these expressions:—

"I have seen with feelings of deep regret and just indignation, the continuance of attempts to excite the people of that country to demand a repeal of the legislative union. This bond of our national strength and safety I have already declared my fixed and unalterable resolution, under the blessing of Divine Providence, to maintain inviolate by all the means in my power. In support of this determination, I cannot doubt the zealous and effectual co-operation of my Parliament and my people."

These expressions of the Sovereign of this country were responded to by Parliament. Both Houses approached the Crown, and in a joint address, recorded in the most solemn manner their fixed determination to maintain, unimpaired and undisturbed, the legislative union between Great Britain and Ireland, which, they said:—

"We consider to be essential to the strength and stability of the empire, to the continuance of the connection between the two countries, and to the peace and security and happiness of all classes of your Majesty's subjects."

On the part of her Majesty, I am authorised to repeat the declaration made by king William; and I have no doubt, that the present Houses of Parliament would, if necessary, be prepared to fulfil the engagements into which their predecessors entered. I can state to my noble Friend, that her Majesty's Government in this country and Ireland are fully alive to the evils which arise from the existing agitation in the latter country in respect to the Repeal of the Union; and I further state this, that there is no influence, no power, no authority, which the prerogatives of the Crown and the existing law give to the Government, which shall not be exercised for the purpose of maintaining the Union—the dissolution of which would involve, not merely the repeal of an act of Parliament, but the dismemberment of this great empire. Of this I am confident, that an executive Government can lose nothing of moral or real strength by confiding as long as possible in the ordinary powers which the law and constitution give them, and in being unwilling, without urgent necessity, to disparage those ordinary powers by asking for increased authority; but I do not hesitate for one moment to state, that if such necessity should arise, her Majesty's Government will, without an instant's hesitation, appeal to Parliament for additional and effectual powers which will enable them to avert the mighty evil that would arise—not only to this country, but more especially to Ireland—from a successful attempt to sever the connection between the two countries. I am also prepared to make, in my place here, the declaration which was made, and nobly made, by Lord Althorp, that, deprecating as I do all war, but, above all, civil war, yet there is no alternative which I do not think preferable to the dismemberment of this empire. I do hope that what has been called our forbearance and apathy may not be misconstrued. I believe the Government will derive additional strength from deferring an appeal for fresh powers until the necessity for doing so shall actually occur; but I think I have furnished the House with sufficient proof that we are fully alive to the importance of this subject, and that if the occasion should unhappily arise, we shall appeal to this House for the fulfilment of those solemn engagements which their predecessors entered into in 1834, and which I doubt not they will, when convinced that it is necessary, readily fulfil. In conclusion, I thank my noble Friend for the opportunity he has given me of making this declaration on the part of the Government.

Captain *Bernal:* As the right hon. Baronet has referred to one declaration of Lord Althorp, I wish to know whether he will abide by another declaration of that noble Lord, namely, that if all the Members for Ireland should be in favour of repeal, he would consider it his bounden duty to grant it.

Sir *R. Peel*: I do not recollect that Lord Althorp ever made any such declaration as that which the hon. and gallant Member attributes to him, but if he did I am not prepared to abide by it.

SERVIA.] Viscount *Palmerston* asked, whether the Government had any objection to lay upon the Table a copy of the firman issued by the Porte for regulating the affairs of Servia, together with copies of the treaties of Bucharest, Adrianople, and Ackerman, with which the firman was connected?

Sir *R. Peel* said, he would lay upon the Table a copy of the firman, and though it was not usual to produce treaties to which this country was not a party, he would lay upon the Table all the articles of the treaties referred to by the noble Lord which bore upon the subject.

Mr. *Hume* wished the complete treaties to be laid upon the Table.

Sir *R. Peel* thought, that course would tend to produce confusion, it would be better to publish only such parts of the treaties as were explanatory of the point at issue.

SLAVE-TRADE. INSTRUCTIONS.] Sir *C. Napier* asked whether the Government had any objection to lay upon the Table copies of the instructions issued to American and British cruisers engaged in the slave-trade on the coast of Africa?

Sir *R. Peel* said, it would be very convenient to slave-traders to know what those instructions were, but for that reason he must decline producing them.

ABOLITION OF THE CORN-LAWS.] Mr. *Villiers:* Sir, I rise to propose the motion of which I have given notice. It is the same that I have proposed before to this House; and, but for this circumstance, I believe that I should have shrunk from the task now. I always feel myself incompetent to the task, and I never felt more conscious than I do at present that there are persons in the House more fitted for the purpose than myself. I know the subject is distasteful to the House, I fear, indeed, offensive to the majority from the question of their own interest which it involves. It is not, however, on that account, rendered attractive to me; I had rather propitiate than offend this assembly if I could; but I fear that at present this is to be done rather by diverting than attracting the public attention to this subject. My object in moving in this matter, however, is the same now that it has always been—namely, a deep conviction in my own mind, that in the whole range of public question that can engage the attention of the House, there is not one of equal importance with that which it is the object of this motion to decide. It is like the ground-work of a building. If that is unsound, the whole structure raised upon it must be unstable. With this feeling, I have at different times brought it under the consideration of the House, when others have been indisposed to do so, and during an interval when the public were complaining less of its effects; and now, when millions are expressing their interest in it, I regret that one abler than myself to represent their feelings, is not the mover of the question. Indeed, I could hardly have undertaken the task, had I not felt that there are those around me who have the talent and knowledge requisite to supply my many deficiencies. The subject I know is said to be exhausted, and that nothing new can be said upon it, and this is true; it was so in the year 1815, after the law had been enacted; for there is nothing that was said then that ought not to have weighed as much as what is said now, but, Sir, the law still exists, and as long as it does, there will be something to say, and the importance of what is said will depend upon the numbers and intelligence of those out of this House who are attending to the matter; and in this respect, rare as any novelty may be, there is something new, for without exaggeration, I may say, that since the law was passed, it has never been so much discussed, so examined, so inquired about, so mastered by the great body of the middling classes as at present. I may say further, that there is no question now that maintains itself so firmly on their attention, that apparently produces such unanimity on discussion, and on which they now speak with such confidence, and the result is, as I do verily believe, an unqualified impression on their minds that these laws have no national object whatever in view, that they are without any public defence, that they are the occasion (as their purpose indicates they ought to be) of great privation to the most numerous class, that they are a great check to the progress of the people, of serious injury to their morals, that they disturb the business of the country, that they limit the commerce with foreign countries, impair the sources of revenue, that they have been the prominent cause of all the embarrassment, depression, misery, loss, and ruin which this country has experienced for four years past, and as such they are regarded as unwise, unjust, repugnant to humanity, and at variance with every precept of the Christian faith, and in this view I firmly believe, that the educated portion of the mechanical classes, and such of them who have access to the ordinary sources of information cordially join, with this feeling, super-added, perhaps, that they consider the more difficult the necessaries of life are made to them to obtain, the more dependent must they become upon the capitalist and employer of labour. Nor is this statement controverted, by the fact, that at some public meetings where the subject has been discussed, that men assuming the garb of working men have entered, and by violence and noise stopped the proceedings. The numbers who have ever degraded themselves sufficiently by being the tools of such a tyranny, have seldom exceeded twenty or thirty, they have never obtained a majority, and whenever any honest men have been parties to the proceeding, it has never been the object of the meeting with which they have quarrelled, but always the means which they have feared would be insufficient: the laws in question have been unanimously condemned; and here, Sir, in pointing to the state of opinion upon this question, I must not omit to name a very important change that has occurred, among a portion of the middling class. I allude to those, for whose interest these laws are declared to be maintained—namely, the farmers. This is now a fact beyond dispute, and it is a new and striking feature in this great social movement, that this class are now beginning fearlessly to consider the question; they may have shrunk from it before; but the result has already been manifested in public places, and will soon be rendered more clear in their open avowal of the utter delusion under which they have laboured, in supposing that the profit of a law that gave artificial value to land, could belong to any but the owner of the land. If it be asked what has occasioned this change in the general opinion, I should in the first place refer it to the efforts of that intelligent, energetic, and persevering body,—who, though they may find little favour in this House, will, ere long, not only be duly appreciated in the country, but from the aid they have given to the cause of free-trade, will be entitled to the gratitude of mankind. I allude to the Anti-Corn-law League. They have wisely, usefully, and effectually drawn the attention of the people to the subject, at a time when they are suffering and seeking the cause of their embarrassment; and they have brought conviction home to their minds. In this they have doubtless been aided by the course which was pursued in this House last year, for I believe that there is hardly a ground upon which the law had been heretofore rested, that was not last year abandoned by those who are responsible for its maintenance. The majority of the middle class in this country absorbed in the pursuit of their own affairs — are much in the habit of deferring to authority — they have been hitherto reluctant to believe that men in high station will state what they know to be untrue, or that they will really sacrifice the great interests of the country to serve the sinister one's of a class, and they had been lulled into submission to this law by the things they were told about it. They had heard it was a protective law; that it had retained labour in its employment, and secured industry its reward; that it enabled the farmer to obtain profit in his employment, indemnified the landowner for great national burthens which he had taken upon himself; that it preserved us from dependance upon foreigners, and gave to agriculture its best encouragement; to repeal this law, it was said would convulse the country to its farthest ends, and would disturb all the engagements into which the proprietors had entered; and looking at the vast interests of the country and the complication of its affairs, that it could not be worth while to jeopardize so much in the vain hope of drawing a higher prize in the lottery of legislation. These were the things which were said, and the influence of which I have at times regretted to observe, though from their hollowness I did certainly not expect would endure; and when the House remembers when last this question was before it, it will see that this expectation was not disappointed, for last year I had no longer to ask that it should resolve itself into committee. When the abolition of the law was last demanded, the House was then in committee deliberating upon it, not certainly to proclaim its efficiency,—not to point to its success —but in the full acknowledgment of its faultiness, avowing that it ought to have been altered long since; that we had become habitually dependant upon foreigners for supply; that the people were rapidly increasing, and with it deteriorating in their condition; that the limit of taxation on the necessaries of life had been reached, and that the revenue depended upon the condition of the people; and this year we heard that "peculiar burthens" had never been much relied upon. There was one thing however adhered to the last, which was, that the farmer and his labourer were interested in this legislation, and that it was with the view to their interest, that it was yet wise for Parliament to attempt to regulate the price of the produce. Do not blight his hopes—do not chill his expectations—said the right hon. Baronet at the head of the Government, while he is endeavouring to supply you adequately at a price between 54*s.* and 58*s.* a quarter; it is to protect him against the foreigner till the price reaches 61*s.* that is the object of my bill. This will prevent the displacement of capital and labour; this will keep land in cultivation, and the labourer in employment, said the Member for Nottinghamshire; while should wheat ever fall to 47*s.*, acres without end would return to waste, and people without number will lose their occupation; and so strongly was this felt to be the intention of the law by the proprietors, that the Duke of Richmond told his tenants, in the summer, that he was not the man to hold them to agreements made in the expectation of a price assured to them by law, and not to release them if the law should fail in its promise, and he would accept surrenders of leases from every tenant if the prices were not obtained in the following year. This was honourably said, and he did not see how the example could be rejected now by any landlord who was a party to the law, for certainly the imperial averages, and not the Corn-law League, had already blighted these hopes which the law had been intended to raise. These things, however, having been said, was it wonderful that the people should now ask why a law, no longer defended upon any public ground, and rested solely upon favour to a particular interest, and which in this respect was now manifesting its utter failure should be mantained an hour longer. And the fact is, that the law is condemned by public opinion; justice, humanity, policy, have all borne testimony against it; and now, a kind of retributive experience is reaching its promoters; in truth, it only waits the final sentence of this House to be buried for ever with those other acts which have had private interest at the expense of public good, for their end; and it is the object of this motion now to ask you to pass this sentence. I do not come here to haggle about the best mode of accomplishing a bad end—satisfied with the badness of the object, I oppose it entirely. I cannot propose terms when I know that none should be accepted, if there is a right to claim the repeal of this law, it is or ought to be based on truth and justice, that is what I contend it is, and these are the grounds on which we have hitherto relied, to compromise them now would be to render them powerless. Besides the hour is passed for longer tampering with the food, the health, the life, and the rights of millions of our fellow-creatures. The time is come, when the great mass of the community considers themselves aggrieved and injured by this law, and only insulted by the defence which is offered for it; and they call for its abolition, as they would that of any other nuisance or evil with which they are afflicted. And there is no argument that can be advanced for its continuance, rested on the particular interests that have grown up under it, that would not equally apply to the perpetuation of any abomination, that might not equally be claimed for any calamity, or the continuance of any of the greatest curses that would befall humanity. And the fact is, that this law has no purpose, has no merit for its friends, unless it tends to produce one of those evils which man has always been most anxious to avert, and from which the Deity has always been invoked to protect him. I mean that of famine. The very object of the law, is the approximation to that misfortune, and it fails in the opinion of its promoters, if that is not accomplished. And though the inadequate supply of food is an evil which in the primitive state of society, must always excite the greatest alarm; yet it cannot be less a subject of the deepest anxiety in the most advanced state of a people, and to the effect of the law as it operates upon a community like ours, I would here call the attention of the House; for I do not believe the consequences of any approach to a scarcity in a country like this has been duly appreciated. For not only is a constantly increasing supply of food essential to a population constantly increasing like our own; but it is the condition of that minute division of employments which is the source of our capital, and of all that tends to the adornment and comfort of life, and which is therefore necessary to the continued progress of a people. For it is only after assurance is felt of an adequate supply of food, that this distribution of the national labour occurs; and, if, after that distribution has taken place, any thing should occur to diminish or prevent an adequate supply of food, then all those engaged in the production of other things than food, are once disturbed in their business, and the demand ceases or diminishes for the results of their industry; the prior demand for food having exhausted or reduced the means available for their consumption. This then drives those engaged in producing the conveniences and luxuries of life to seek for themselves a more direct mode of obtaining food, usually manifested by a return to the occupation of land, or in such countries as our own by a resort to mendicity, to the public relief, to emigration or to crime. This may be all said to be obvious, but if so, I ask why has it been forgotten? Because this consideration is at the bottom of the question which we are discussing, had it been heeded, the Legislature would have feared to attempt through scarcity to raise the price of produce, lest they deprived those engaged in manufacture or occupied otherwise than in the production of food, of the means of living, while it is as obviously true, that the more abundant and accessible food is, the greater will be the demand for all other results of industry. If any man would satisfy himself of the truth of this rule, let him only inquire what would be the effect, in a country like this, of the great mass of the population having easy access to food — let him learn if it would not instantly occasion greater demand for the comforts and decencies of life—and whether the effect with which that would be attended to, must not of necessity be an increased demand for the labour of those who could be employed in the production of those objects, which would occasion a better market at home for manufactures, and consequently render the manufacturers' business a better market for labour. And if this is the case, what can be more worthy of the attention of those who are responsible for the state of this country, than to discover in what way the supply of food can be most abundantly increased, in order to cause an adequate demand for the additional labour of the country; for on this, it is obvious, hangs the physical condition of the people, and on that, their morals, their education, their well-being and contentment; and in this country above another it is important to increase the demand for manufactures, when it is now ascertained that every addition to the population must look for employment in manufactures, or in other employments than agriculture, that is now a fact established beyond question. Let any man with these principles in his mind examine the facts which are afforded to him by this country, the facilities are great now of ascertaining anything which affects our economical condition, and the opportunity was never greater than at present, when we are at the termination of a period during which there have been years of scarcity and abundance of equal duration, and I ask any man who rises from such an inquiry, whether he will not admit that while a mass of evil and misery has followed in close connection with the period of dear or scarce food, whether comparative prosperity has not seemed to result from the years of cheapness—whether as food became dear, the occupations unconnected with its production did not become worse—and whether thousands of those so employed had not been driven to seek food in some other way? It is well known, that between 1834 and 1838 there was a comparative abundance of food; and that the great body of the people had access to food of good quality in greater amount than before—and it is not disputed, that during that period all occupations connected with manufacturing industry were never more prosperous, that commerce was active, the revenue flourishing, poor-rates reduced, crime diminished, and all the businesses connected with the distribution of wealth in a prosperous state? That the habits of the people, which had been deteriorating between 1829 and 1833 began to improve, and the general aspect of the community was good. This occasioned, as it is always observed to do, a greater consumption of food, which, while the people rapidly increased, led to a greater demand for food. It was under these circumstances in 1838 that the harvest failed, and that wheat, which, in the beginning of that year had been 51*s*., reached in September, 73*s*.; and from that moment till the harvest of 1842, the effects of a high cost of food upon a highly-civilised, commercial, manufacturing community, annually augmenting in number like our own, may be observed: from the autumn of 1838 to that of 1842 we had high prices, which means scarcity of food—and during that period, it is no longer a question that the whole business of the country was, as it still is, deranged and depressed; nor is it only the coincidence of high-priced food and bad trade that makes the connection appear necessary—it would be easy to show, that it is impossible that it should be otherwise. In the first place, in the beginning of 1838, if we take the average cost of wheat, and the average amount consumed, we shall get the rate at which the community was paying for this food before the prices rose; assuming that sixteen millions of quarters are consumed, and that the price was 56*s*., the yearly expenditure would be about forty-five millions. Now, then, if the price rose to 73*s*., the cost would be fifteen millions more; and if we take the average of the four years, we shall find that, during that period, sixty millions more was required for food than was required for the four preceding years; indeed, my hon. Friend the Member for Paisley stated last year, that other things, such as tea, coffee and sugar, having risen in price at the same time, an additional expenditure on necessaries equal altogether to 100 millions had been caused. What then should we expect to be the effect of abstracting so large an amount of the public means from the expenditure on manufactures, could it do other than greatly to injure the home market, and thus diminish the demand for the goods, compared with that in cheap years. What is the account that intelligent men connected with the staple manufactures of the country, and dependant alike upon home and foreign trade, would give on this point? Why, that the effect of the home market for manufactures was felt immediately on the price of food rising, and though at first it is inconvenient and almost impossible to stop the manufacturing processes that they continued to produce without reference to the demand; but that as the stocks were thereby increased beyond the demand at home, they consigned their goods on their own account to foreigners abroad. This soon occasioned the markets abroad to be overstocked, a circumstance which was much aggravated by the inability to effect exchange with countries growing food abroad, and prices fell to a ruinous point here; and in 1842, the foreign markets being glutted, while the home market remained unimproved, a period in this country followed of unexampled depression. The manufacturing interests were depressed beyond precedent, and there was one continued course of sacrifice, bankruptcy and ruin steadily increasing throughout that most unfortunate year, and we know that such were the despair, destitution, the wretchedness induced by diminished profit and diminished reward for labour, that an outbreak of a serious character occurred, which was rendered perhaps more so by the circumstance that it found many of those in the middle class, on whom the peace and well-being of the State much depends, in a condition to care little for the result; and I believe that, considering all the details of what has occurred during this progress of misery and ruin for three years past while all that can befall humanity, of evil physically and socially, has been suffered by millions of the people, that nothing that war or pestilence could bring, would have been worse, or that any thing ever endured in England before, offers to it any parallel. It is difficult to measure the misery of such a period in this country, the mental agony of persons sinking in their station, the moral ruin entailed upon whole families of innocent persons by the demoralizing influence of poverty, hurrying as it were multitudes of unconscious men and women into habits of vice and crime; indeed it is vain to talk of educating the people, or of raising their moral state, while laws, attended with these consequences, are suffered to exist, for there are moments when people's morals and habits are moulded for their remaining life, and the moral being of millions is determined, and not all the education, nor all the vigilance of all the clergy could redeem many of those who have been so reduced, or subjected to such trials and privations, and hon. Members must look at this law attended with these practical results, for there is a way of viewing the Corn-law apart from its purpose and its necessary effect, and gentlemen talk of it as some abstraction which may form a chapter in political economy, that may excite the interest of the curious, but as having no practical bearing, but let them know that it is precisely by these distressing consequences that it is known and felt by the industrious classes, on account of which its supporters are looked upon as the authors of their misery. It is the observation of those who are brought in contact medically with the working classes, that there is nothing that determines to such an extent their health and well-being as the facility with which they obtain their food, and indeed, though public men are reproved for the strength of their language in condemning the Corn-law when it has been termed a murderous law, it should be known that this is the view which is taken by medical men when treating it more calmly. I will quote here from a medical man who has had much experience in the treatment of the poor. He says—

> "The Poor-law preserves them from death, but it does not, it cannot preserve them from gnawing anxiety and destructive toil, from exposure to the weather, whilst seeking far from home for work—from suffering cold from insufficient clothes, the best having been sold or pawned for bread—from crowding several families into one small dwelling to save expense of rent—from choking up every avenue for air to obtain warmth without expense of fuel. Nothing can preserve the infant from unwholesome milk, when its mother is harassed by care, and stinting herself of food that her little ones may eat. Nothing can save men from disease and death with insufficient and unwholesome food—with garbage to stay the cravings of hunger, and seeking, in the excitement of gin as a brief respite from despair. Such are means by which the Corn-law kills."

Again, I have here an extract from a work on *Vital Statistics.* [Sir *James Graham:* Who is the author?] Dr. Hawkins and I will read a few extracts, which would serve to show the estimation in which this law was held, by even men of moderate opinions, he said—

> "The price of corn has a most remarkable influence on the movements of population and of disease. We have not a sufficient number of data to enable us to estimate the exact amount of its influence, but we shall assuredly not be mistaken in classing it among the most energetic causes which press upon the operations of life. This influence extends not only upon deaths but upon births; it affects also the number of marriages, of diseases, and even crimes. Variations in the price of food, then, form one of the most serious changes that can occur on the surface of a state; they may insensibly lead to the most unexpected, the most formidable result! and we may affirm with confidence, that one of the most important duties of a Government is to temper, and to diminish as far as possible, all the circumstances which promote these fluctuations in the price of the most necessary article which man can produce."

Thus it appeared that the price of food had a great influence on the comfort and condition of the people, and its variations and fluctuations were amongst the greatest and most important changes that could occur in any state, and might insensibly lead to the most unexpected and formidable results. These were the opinions of persons who were held in considerable estimation as medical writers, who had published several valuable statistical works, and the justice of their observations was fully confirmed in the increase of crime and the amount of poverty and disease which had taken place lately amongst the poorer classes of this country. One of these writers showed that during the four dearer years, 14,657 more patients had applied for medical relief in the manufacturing districts than during the same period of cheap food, and that 1,177 more had died, or 196 per year, showing that the proportionate increase of mortality was much greater than the increase of admissions. In ten divisions of England only, the deaths from starvation within the year were 116, and in Ireland, Scotland and Wales, there were three times as many. The annual deaths from starvation were two in every 100,000 or 560 of the whole population. The increase of crime was also frightful to contemplate. He found that in 1835 the number of commitments was 20, 731. In 1836, they had increased to 20,984; in 1841, 27,760; and in 1842, 31,760. He found that during the last four years the poor-rates in one of the most populous parishes of this rich metropolis, namely, Marylebone, had increased to an alarming extent. In 1840, the amount was 27,000*l.*; in 1841, 31,000*l.*; in 1842, 36,000*l.*; and in 1843, 40,000*l.* Thus showing in one parish alone an increase of 13,000*l.* in the expenditure for the relief and support of the poor. He also found that the number of casual poor relieved by the City of London, which in 1836, amounted only to 925*l.*; and in 1842 had increased to 29,933*l.* Nor was this confined to one place, it was general throughout the country, for instance, at the almshouses, at Durham, the number of persons relieved had increased 40 per cent. during the same period. Surely, these are matters that should at least be weighed and considered by men, who, subjected to no privations themselves, sit here deliberately to legislate against food, purposely to make food scarce, and which they can only succeed in accomplishing at the risk of producing the consequences to which I have referred, and thus deteriorate the people in their morals, their health, happiness, and general well-being, thus adding fearfully to all the elements of discontent and disorder in the State. And it should be noted, moreover, that it is not only that this occur, during periods of bad seasons, but that under the present circumstances of our country, it is more or less the constant condition of the country; for it is the fact, that when the harvests are good, we are without a sufficient supply of food: at least, of food of the better kind, and such as we all desire to consume ourselves: and though the price may be low, when from any reason the quantity may be increased, and the habits of the people being deteriorated they are unaccustomed to consume the quantity they require; yet the great mass of the people have not food of good and strengthening quality within their reach at any time. It had been said in former discussions, and might be repeated this evening, that in ordinary years there was an adequate supply of food; this I deny, and say, that the supply is never adequate, there was more at one time than at others, but never enough. I have here a calculation that has been made with great trouble, and with a view to obtain an accurate account of the distribution of the largest quantity of wheat that has been allotted to general consumption; namely, about sixteen million quarters, and which showed that ten millions of the population, the number named by some advocates of this law, never consume wheaten flour at all. The estimated distribution of wheat was as follows:—

Population.					Quarters yearly.
500,000	people at	7	oz. per day	....	166,666
1,500,000	,,	10½	,,	....	750,000
3,000,000	,,	14	,,	....	2,000,000
3,000,000	,,	17½	,,	....	2,500,000
4,000,000	,,	21	,,	....	4,000,000
5,000,000	,,	24½	,,	....	5,833,333
17,000,000					15,249,999

Besides these, he found that there were four millions who lived on oatmeal, and six millions who "rejoiced" on potatoes. These ten millions of people there were without the first great necessary of life. Was not that a scandal and a disgrace to this country, which boasted of its wealth and greatness, that boasted of its charity and its Christianity, and yet suffered these things to be, while we know that across the Atlantic a pestilence had been nearly occasioned by food rotting on the quay for want of a market. I allude to what was actually reported to have occurred at New Orleans. And really, if it were not lamentable, it would be almost ludicrous to hear people who are parties to this law, observe upon and regret some of its most obvious consequences; for instance, it is not unusual to hear in this House a sort of lamentation, that of late years the labouring class were becoming poorer, while particular classes and individuals had become richer, and that while those who live luxuriously seem to prosper, those who are wanting comforts are becoming more necessitous. This was observed upon by the right hon. Baronet at the head of the Government, when he introduced the Income-tax; and he seemed to state it as a reason why he should exempt the poorer classes from the tax. This same observation was again impressed upon the House by the Vice-president of the Board of Trade, who regretted the great accumulation of capital and the simultaneous spread of poverty—and another Member of the Government, the Secretary of the Admiralty, made the subject the leading topic of an address to his neighbours and constituents in the winter last. I will just read his words—

> "The truth is, we none of us feel sufficiently the responsibility of wealth, and the duties which the possession of property entails on us; we forget we are trustees for our poorer brethren, and this, whether the property possessed be great or small. Look at the state of society in England, and we must be struck by the necessity of making efforts equal to the emergency of the case. It must be evident to all who have paid attention to the working of our system, that whether owing to our laws and institutions, or to some other cause, great changes have taken place at the ends of the social scale, wealth being at one end greatly on the increase, and poverty as rapidly increasing at the other, the rich becoming still richer, and the poor becoming every day more numerous and more poor."

Now, then assuming that those who express their regret at this circumstance are sincere, I would just put a case to them to aid them in solving the difficulty as to the cause of this evil. I will imagine a very much smaller community than our own, say only of a few thousands, and I will suppose that only fifty have the supply of the necessary food of the people, and that this community should gradually increase, while the supply of food did not increase in proportion. What do these gentlemen think would be the condition of this community, as well as of those who had the monopoly of food. Do they doubt that they would see that while those who had the supply of food grew gradually richer, that those who were compelled to depend upon them for food and were increasing in number, would become gradually poorer, and that the proprietary represented as fifty would gradually acquire a greater demand over their labour, their services, their resources, and that in proportion as those were given in greater proportion for food, so they would have less to expend, less on other things, the whole resulting in what the speaker referred to calls the rich becoming richer, and the poor poorer. Now that is my solution of this increasing disproportion between rich and poor, and which all observe and say they regret; but which if this monopoly in the supply of food continues will be more manifested each year. The people cannot increase as our population does, and not be deteriorated if the supply of food does not augment in a corresponding degree. And that this is the state of the people now, namely,—wanting more food, and being too many for the same employment, is admitted by those who either resist the repeal of the law or who have other projects for the improvement of the people. They say the people are deteriorated, and that more food is required, and their mode of improving their condition, is either by Foreign colonization or Home colonization; but what is the assumption on which both these are proposed, but that the difficulties in obtaining the means of life are increasing, and that it is politic either to send the people where there is more food, or to encourage manufacturers to produce food for themselves in this country. Each of these assume that the people must withdraw from other employments in which they are or desire to be engaged, in order to obtain food directly themselves, either in this country or in the colonies. The friends of foreign colonization hope to alleviate the condition of the ill-paid weavers by sending them to be shepherds at the Antipodes, and the friends of Home colonization invite the operatives who are destitute or who are only half employed, to leave the forge and the loom, in order to dig the waste lands here, in the hope of raising by that means food for themselves and their families. I do not impugn the motives of these persons, I believe that both are animated by a desire to relieve the destitution that they hear of or that they witness; but I cannot help observing to them, that while they acknowledge the condition of our people to be that of wanting food, and wanting the means of procuring it, that they should be heard on this occasion calling loudly for a repeal of the law, which only exists to prevent food entering this country, and to prevent those who have it to sell, from purchasing our manufactures in exchange; for it really is only to realize their objects, that we seek to repeal this law. They say we want new markets; we want to employ our redundant people—and for this their plan is to colonize them: now, our plan is, to suffer them to work at home for food, which those who take their work would give them in exchange, but which it is the purpose of this law to prevent: for if the food was to come in that is prevented by this law, it could only be received in exchange for productions of this country, and which would be produced by our people with the view to that trade. I say, that as long as there are ten millions in this country who want bread, and are therefore insufficiently supplied with manufactures, there is the means of a new market within the limits of our own country, which we could call into existence, and which would manifest itself immediately if the law would allow industry and commerce to be free, the food would then appear in our markets, and the present redundant labour would be absorbed by an increased demand for manufactures, and by an entension of all the businesses incident to them, so that these ten millions would be like a new state, with whom we should have a new trade. In short, the home market would be improved just as it is at present injured by the Corn-law. Home trade is more convenient in some respects than foreign trade for those engaged in it, and it is precisely that trade that the Corn-laws are so peculiarly calculated to injure. It is no preference for foreign trade over home trade that induces me to call for the repeal of the Corn-law—I never said it was: but it is on the ground that this law stops exchange, food for other things, between man and man, respectively producers, and by artificially raising the cost of food limiting the command of the community over the comforts of life, that I object to it. And it is idle for those who maintain this law to question the benefits of allowing the trade to be free, for their whole argument and all their fears are based on the expectation of them. It is precisely to prevent the merchant from having his share in the supply of the community with food that this law is passed; he who is ready to embark his capital for this purpose; who is prepared, in fact, to take out the results of our native industry, of which we hear so much, as the means of purchasing it, but who is deterred from doing so by this mischievous meddling with his business. The supporters of this law are, therefore, precluded from the use of both arguments:—first, that too much food would come in; and, secondly, that no food would be imported. Their fears are founded upon the too much food, and to prevent excess they are legislating, or there is no purpose in the law; for their interference to protect the capitalist is ludicrous, either on the supposition that the merchant requires to be protected by the landlords from their own enterprise, or to suppose that with our commercial facilities, with the whole world before us, from the valley of the Nile to the valley of the Mississippi, that the merchant would not be able to dispose of our manufactures for food, or to keep our markets supplied with the first necessaries of life. Why, if the present system were not grossly impolitic as regards the community, it would be abominably unjust to those who having capital, could employ it in providing food for the people, are not at liberty equally to do so with the agriculturist himself. A man has just as much right to the use of his money or his ships which he may inherit or acquire, and may choose to use for the purpose of feeding the people as the landlord has to his acres for the same purpose, and the community are only aggrieved, and never can be benefitted by any restraint in this respect; and on this ground if there were no other, the law ought to be repealed as a gross infringement of the right of our traders in their business of supplying the community with the things they require. Monopoly can never offer a substitute for the unvarying operation of the competition. Where then is the excuse for this gross violation of the ordinary rules of policy. Is it that what is termed agriculture in this country requires favour for its success? Sir, I am happy to think that in the whole list of pretexts and fallacies resorted to in the defence of this law, there is not one more weak and indefensible than this; and that there is almost unanimity as far as one can collect the opinions of independent and intelligent agriculturists, that the culture of the soil depends upon the skill, science, and arrangements of those who bring their capital to this business, and not upon favouritism, monopoly, or what is termed in Parliament, protection. Sir, I believe that men who have given most attention to this subject, do not stop with the opinion that such interference is not needed; I believe they go farther, and assert that it is positively mischievous, and that while the cultivator is diverted from attending to his own resources by relying on the promise of Parliament, that agriculture will never thrive in this country. The case as I apprehend it is this—the law holds out an expectation that by excluding foreign competition, a high price will be obtained for a particular grain, this induces the farmer to give particular attention to this grain, and to depend upon the price which he shall obtain for it in the engagement which he makes for the use of the land—the effect of constant disappointment in getting this price makes him now generally unwilling to seek, while, perhaps, political reasons make the landlord unwilling to give, a lease. Now, the agriculture of this country is very defective and needs many things to be done to improve it; but for this purpose, patience, expense, and enterprise are required—the best improvements of later years require considerable outlay, and require time to prove their efficacy. Now, the effect of the present system is precisely to make men timid in laying out money, for they have not sufficient security for the return, while the promise of Parliament is substituted for improvement, and while they are said to be protected by Parliament, to shake their faith in improvements. I confidently assert then that the science of agriculture, as well as the interest of the cultivator needs no other reliance but that on skill and enterprise, and that both are prejudiced by the results of protection, indeed, upon every inquiry into the distress of agriculturists, it has been shown, that those who had put little faith in the law, and trusted chiefly to skill and resource of their own, had not suffered, while those who bound by heavy pecuniary engagements, based on the promise of the law, to the owner of whom they hired the land, were those who were most distressed. This was testified by the farmers in Scotland, who gave their evidence in 1836, and they showed that they had thriven from the moment that they had cast off all reliance on the law, and made arrangements with their landlords adapted to those circumstances. It was indeed, I believe, chiefly from reflecting upon all the testimony gathered on the inquiry in 1836, that led some of the most scientific men to the conclusion that low prices which could be maintained steady, would afford the best stimulus to improvements, and be alike advantageous to the occupier of the land, and the community, and this was most likely to be accomplished by freedom of trade. I find this stated by some men, and broadly pointed to by others, who, perhaps, fear the unpopularity of broaching the doctrine among the proprietors. And, indeed, until I had examined the matter more closely, I was not aware how strong the presumption was in favour of the success of the principle of free trade as applied to agriculture, over that in any other matter. The fact is, the cultivator in this country has an advantage over his foreign competitor in all that is essential to his business, and his disadvantages seem to begin with and to spring from the law that professes to protect him. He has larger capital, better labour, more manure, better implements, nearer markets than the foreigner, but he has an artificially high price to pay for his land, he has heavy poor-rates rendered so by food being scarce, and all that portion of the produce required for consumption on the farm is consumed at a greater sacrifice than would occur if it was cheap, while the effect of the law is to deteriorate the condition of his customer. I believe with the most intelligent men conversant on this subject—that if the farmer had fair play, and was submitted like men in other businesses to a free competition, that he would succeed in rivalry with the foreigner of any kingdom in the world. Nor, Sir, am I here speaking without book, and in support of what I have said of the change of opinion among the farmers, I will here refer to a very intelligent work which has recently been published by a person who is a farmer himself—with whom I am personally acquainted, whose family and connections have been, as I know, entirely bound up in interest with the agricultural class, and who would have everything to lose in character and property, if he were wrong in what he said, and I gladly refer to this work to prove that I am not misrepresenting the interest or opinions of the farmers in what I have stated, and that I am not calling for the entire removal of this pretended protection in disregard and neglect of their interest. Mr. Welford is the author of the work.

Now, what says he in the first place on the subject of rent:—

"I firmly believe, that if the trade in corn was to be thrown open to-morrow, that there would be no real necessity for any important reduction of rents, except upon heavy wheat land; and there, it would only be required, in order to allow the tenant time to adapt himself to a state of low prices likely to be permanent and steady, rather than from any difficulty in cultivating such lands, under a proper system, at the present rents, let the price of corn be ever so low."

Then as to the present moment of effecting the change—

"Now, then, is the time to repeal the Corn-law. Home competition has reduced the price of grain to a moderate rate, and if we are blest with a good harvest, wheat may, and probably will, fall lower than it was in 1835. The most sensitive agricultural alarmist will, therefore be unable to conjure up any phantom of greater abundance than that produced by the home growth. The repeal of the Corn-law would now create no panic, and free-trade, by a gentle and gradual measure, would direct the exertions of farmers towards that intelligent system of husbandry wherein their permanent prosperity is alone to be found. All the beneficial effects, which free-trade in corn is fitted to produce on commerce and manufactures, would at once begin to operate, and a clearer prospect of national prosperity, a prospect more free from adventitious circumstances whether of good or evil, will be opened than has ever been hitherto attained.

"On the other hand, if, either through public indifference, or from the half measures of party politicians, the Corn-laws be allowed to linger on the statute-book—practically inoperative, as we have seen, to prevent agricultural distress in abundant years, until the cycle of the season shall bring round two or three deficient crops, it is certain, that a total and instant repeal will be quickly forced upon the Government of that day. But this will not be effected until all the evils of scarcity have again been endured by the community, new engagements at high rents entered into by farmers, wheat culture again unduly extended, monetary derangements and ruinous corn speculations once more rife, and, finally, an agricultural panic which the experience of several years may be required to allay. It is plain, there never was a time, especially as regards the interests of the agriculturists, more favourable for the decisive step than the present. What do we fear? Is it cheap corn? If so, we have it notwithstanding the Corn-laws. But the mischief is, that though for this year we may have abundance, a bad harvest must half starve us before we can get relief."

"That the British agriculturist is by no means so ill prepared to adopt the only stable means of success, as some of his self-styled friends would have believed, a brief survey of the present state of English husbandry will make manifest. Perhaps, there is no source from which I could take a statement of the actual condition of English agriculturists (for in Scotland farmers have become pretty well alive to the exigencies of the times) so little open to suspicion or cavil, as the article by Mr. Philip Pusey, M.P., one of the Members for the agricultural county of Berks, "On the Progress of Agricultural Knowledge during the last four years," which appears in the last number of the *English Agricultural Society's Journal*, published in January of the present The purpose of the article is to inquire what has been the progress of agriculture since the establishment of the society; and it completely confirms the views I have taken of the comparatively backward condition of the heavy soils. Mr. Pusey justly remarks that the foundation of all improvement upon wet lands is drainage; and in the foregoing pages I have shown that the owners and occupiers of wet and heavy soils are those who are most frequent and loud in their demands for protection."

And then he shows how recently this improvement had been even recommended—

"It is only seven years since," (proceeds the article) "we heard in England, chiefly through the present Speaker of the House of Commons, that a manufacturer in Scotland, now well known, as Mr. Smith, of Deanston, had found the means of making all land, however wet and poor it might be, warm, sound, and fertile; and that this change was brought about by two processes, thorough draining and subsoil ploughing."

Mr. Welford then further quotes Mr. Pusey to confirm his own views, how unlikely these improvements are to be adopted as land is now held, for after enumerating the many disadvantages of wet clay land Mr. Pusey says—

"If I were a working-farmer, nothing would induce me to enter on a cold, wet farm, unless there were a fair prospect of its being drained, either with my own money under a long lease, or with the aid of the landlord." "But what farmer," says Mr. Welford, "who intends to remain solvent and independent five years hence, would now venture to take a long lease of "a cold wet farm," knowing as he does, that he would be obliged to engage to pay a rent calculated on prices he may not obtain five years out of twenty? And while such lands can be let without draining, the landlords—the majority of whom cannot afford the outlay—will never, to any great extent, furnish the means. Here and there individual landholders may promote such improvements at their own expense; but looking at land in the aggregate, its permanent improvement will only take place in the hands of occupiers. To enable the occupiers of the clay lands of England to become improvers, the first requisite plainly is steadiness of price, which can only result from a free-trade in corn."

And Mr. Welford, in support of this opinion, points to the time when the protected agriculturists began generally to talk of improvement—

"Now, though individual cultivators had been for some time, in the practice of enlightened systems of husbandry, and were thereby enabled to bear up against the ruinous fluctuations caused by the Corn-laws; yet it was not until that complete disclosure of the real origin of agricultural distress, and of the hollowness of all expectations of profit founded on protective laws, which were made in 1836, that any general movement was communicated to agriculture. Then a desire for improvement, to counteract the effects of low prices, arose amongst the landed gentry; one of the consequences of which was the formation of the English Society, whose proceedings have diffused the knowledge of useful practices already in operation."

And now, Sir, before I close this very intelligent work, I cannot help reading the conclusions which he considers to be legitimately drawn from all the evidence and experience which the past and present state of agriculture under the Corn-law affords, and I do so in hopes of their going forth to the public, so that if agriculturists can gainsay or refute his views, that he will do so, for the truth is what I alone desire on this matter. Mr. Welford, amongst other things, comes to the following conclusions:—

"That the rise of rents which has occurred in modern times, has been consequent upon the growth of manufacturing industry in this country.

"That the most complete monopoly of the home market will not secure permanently high prices to the British agriculturist.

"That the monopoly prices promised by the Corn-laws, both of 1815 and 1828, were never practically enjoyed for any considerable period, by the occupiers of land in Great Britain, whilst all their fixed money engagements have been calculated, with reference to the promised, not to the real prices of grain; and besides, that the community will not bear, in times of scarcity, an effective maintenance of the corn monopoly, for a period sufficiently long to compensate the farmer for the unnatural depression prices undergo in years of abundance.

"That though the farmer, who by accident had taken his farm during a low range of prices, if his rent had been fixed with reference to the then existing prices, might be apparently benefitted by even a short period of high prices; yet that, in fact, he is no gainer, for the competition of farmers for farms enables landlords and land-agents, in practice, to disregard the very low priced years, and to calculate money-rents with reference to the prices of seasons of comparative scarcity, and to the act of Parliament price of corn.

"That the Corn-laws have prevented timely adjustments of rent, and have thereby permanently injured the landlord and tenant, more particularly on those soils which were formerly almost exclusively regarded as "wheat lands;" that they have induced farmers to rely for profit upon a great breadth of wheat, to the neglect of stock farming and improved systems of husbandry; and that they have created a habit, in the minds of those connected with land, of looking to the Legislature for some undefined or unattainable remedy for occasional distress, rather than to their own energy and enterprise.

"That the uncontrolled power, which the landed interests have had to legislate for the protection of agriculture, has not enabled them to prevent the periodical recurrence of real and severe distress amongst the tenantry.

"That it is not for the interest of the farmer that prices of corn should be high, for whether they are high or low, the existing competition for farms would prevent him from realising more than the ordinary rate of profit, after payment of rent and other outgoings, calculated according to the actually existing prices; but it is most important to him that prices should be steady, without fluctuation beyond what must follow from variations in the seasons; and that such steady prices would be best secured by a constant and regular importation of grain.

"That all recent improvements in agriculture have taken place in spite of the Corn-laws, and by pursuing plans directly the reverse of those which the Corn-laws have tended to encourage.

"That the immediate repeal of the Corn-law is not only desirable, as the means of placing agriculture upon a sure foundation, by at once enforcing those improved systems of husbandry, and adjustments of engagements, which alone can make agriculture permanently prosperous; but that the present time, from the comparatively low prices and the healthy appearance of the growing crops, is peculiarly favourable for the adoption of free-trade in corn.

"And, finally, that the high value of land in this country has always been coincident with, and is directly attributable to, the great wealth created by our commercial and manufacturing industry, and the comparatively wide diffusion of that wealth amongst the mass of the community; but not to any artificial restrictions, which have been shackles and obstructions on, not aids to, our productive power."

Now these were the conclusions to which this farmer has deliberately arrived; and do not let people suppose that he is a person unknown to the farmers; for I may tell them, that after publishing this work, he was the person who presided at the great meeting lately held in the county of Hertford, where he is known as a farmer, and where the farmers had assembled from different parts of the country to hear the subject of the Corn-laws discussed; and where many had come with no friendly feeling to the speakers on free-trade; and he was unanimously selected to fill the chair. It is then the condition of improvement, and the condition of the safe pursuit of this business by the farmer, that prices should be low, and that the trade should be free; what then is the objection to the change? It will occasion panic among the farmers, say some. Sir, I say it is the circumstance that renders the present moment so peculiarly fitting for the change that no panic is likely to occur. The farmers could not in the first place apprehend any great fall in the price, while, at first, they might expect the contrary, from the stimulus it would give to trade. But I am disposed to dispute these assertions of the fears entertained by the farmers of abolishing this law, if their landlords would consent to it. In the first place, I doubt, if any thing that was done now by their professed friends, would much disappoint the farmers. They are in the right mood now for an experiment, for they have been so practised upon of late, that I doubt if they would consider themselves deceived again. Moreover, I remember that last autumn there was a laudable endeavour on the part of some persons to prepare the way, as I had hoped, for some further change and excellent advice was tendered to the farmers, in a series of speeches in different counties, which from the manner in which they were received, showed that this class was as open to conviction as any other. My hon. Friend the Member for Winchester addressed them in a speech, that according to the report, met with nothing but success; and he strove to impress upon the minds of those he was addressing, that the worst day that could befall the farmers, as well as the country at large, would be when the manufacturing interest should in any way decline; and that agriculture must look to the extension of our commerce, as the most friendly circumstance that could befall it. Again, the Member for Somersetshire was extremely well received when he, about this time, announced to his constituents assembled to hear him, that the time was now come when the British farmer must abandon his reliance on protection, and stand upon his own prudence and skill: and lastly, came a gentleman who I think had represented or did represent a division in the county of Sussex, Mr. Goring, who said that the farmer had nothing to fear—that he had great advantages in the circumstances of this country—and that in fact, protection was useless to him. I observed all these speeches were well received; and I never could understand why a sudden stop was put to the continued utterance of such excellent counsel; or why policy of preparing the farmer's minds was at once abandoned. I was induced at the time, I remember, to consider whether there was not some connection between that and the news from China, as, from the moment that some revival of the trade was expected from this circumstance, these salutary lecturings were stopped—looking a little as if monopoly was to be clung to so long as it was possible; but showing that if trade did not improve, and the pressure from without was only sufficient, it might, in the opinion of its supporters, be abandoned without danger—aye, and as many of them almost admit, with positive advantage to themselves; for, it is a law that has for its purpose not only to prevent importation; but as Mr. Welford shews, of preventing improvement and checking production. There is the same imaginary interest in doing both. What is essential to the success of a corn-law is, to limit the quantity, for that is the only way by which price can be maintained; and that may be defeated as much by rendering the soil more productive, as by importation. Indeed, of late it has been avowed, that the defect of the law has been that it has not been sufficiently restrictive; that some clause was required to limit the quantity. This was openly stated in the *Morning Post* the other day, which is the special organ of the proprietors who support this law; it has been repeated in effect by the *Standard*, which is the organ of the Government; and I observed, in a speech made by the Member for Dorsetshire, when he addressed his constituents, that he almost ridiculed the idea of the farmers adopting the later and the best improvements in agriculture, recommended to them—asking in derision, where they were to obtain the money to effect them, and whether if the landlords advanced the money, they were ever likely to be repaid. And yet the object and effect of such improvements, is to supply to the deficiency of food, and the fact is, that has been the defect of the law from the first, and must always be so—nothing can secure price, but limiting quantity, and nothing in some years can do that unless improvements are checked, or that there are special powers residing in some quarter for the purpose of destroying the produce or controlling its amount. I remember Mr. Whitmore told the agriculturists sarcastically at some meeting, that there ought to be a burning clause in their acts to be enforced whenever by the bounty of heaven, the harvests were too abundant, and I think he alluded to its having gravely contemplated at some agricultural meeting in 1822. These were really the views taken by the party represented by the Member for Wallingford, and with whom a large majority of the other House I believe, warmly sympathises. But if the farmers would not be frightened, and improvements could not be prevented, was there a pretence for saying, that the land would go out of cultivation, which is constantly repeated as an argument against change. This is repeated year after year, and I ask the House candidly, if there has ever been the slightest pains taken to shew any ground for the opinion, or whether there is really reason for expecting that it would happen. Look at the foolish predictions that have been made from time to time on this account, as a reason for this or some other Corn-law, and how regularly they have been all falsified by experience. It was only last Session, as I said before, that the Member for Nottinghamshire said, that if the price of wheat should fall to forty-seven shillings, that vast tracts of land must go out of cultivation. And yet is there an acre expected to go out of cultivation though prices, I believe, lower than that at this moment, or does any body expect any to go out. What was the case in 1822 and 1836? was any labour displaced, as it is called, in consequence of land being deserted or returned to waste? Why, in one of those years, a Mr. Ellis or Ellman, who is a favorite witness whenever it is thought necessary to call an agriculturist in favour of more protection, said, it was very extraordinary, that during those years which were designated as periods of unparalleled distress, that the demand for land was as great as ever, both by those who wanted to occupy land and those who desired to have more, and that none had gone out of cultivation. We all know, that at no period have enclosure bills been stopped, and that between the years of 1832 and 1836, nearly 100 were passed; but, if this solicitude for the labourer lest he might be displaced is sincere, how ready a mode does this land that hitherto has been productive, and that is expected to lie waste, offer to provide for the destitute labourer—let us only have the account of the land that is to be thrown out of cultivation, and we shall know how to provide for the labour. At present the calculation is, that there are three labourers for 100 acres. Think you, that these 100 acres divided among the three labourers would not maintain them somewhat better than they are maintained at present—that surely is an answer to those who pretend that their only fear in repealing the law is on account of displacing labour. I doubt, if all the labourers that were to be so displaced, were to be maintained magnificently at the public expense, whether it would be so costly to the community, as 1s. a quarter added to the price of the grain consumed in this country. But it is in fact, nothing more or less than a cruel mockry of the labourer to talk of his interest in this law, which diminishes the quantity of food to be distributed amongst his class, and from the results of which he has been an invariable sufferer, and always more intensely in proportion as the law has succeeded in its object. It has been with difficulty, that these labourers have been restrained at various times from breaking the peace consequent upon their discontent at the results of the law. The average price of wheat from 1794 to 1814, was 84s. a quarter, and during that time there were several occasions of rioting in the country districts, simply owing to the high price of food. But again, whether we make inquiry in these districts ourselves, or looked to the evidence which had been collected by committees, how could the labourer be worse off than he is at present after the law had existed for twenty-eight years. What only occurred the other day in one of the wealthy counties in the centre of the kingdom. A report had been lately made by the surgeons appointed to examine the convicts in the hulks when they arrived there from the prisons, and they had there expressed their opinion that the condition of the prisoners showed the insufficiency of their previous diet, they had all the appearance of having been kept on bad and insufficient food, and in consequence the right hon. Baronet the Secretary of State, had issued an order to all the gaols, directing an improvement in their dietaries; but when the magistrates came to consider the improvement which was directed in their diet, they exclaimed against it, and speaking from their local acquaintance with the condition of the peasantry, declared that the criminals would in future be far better off than the labouring poor; thus showing, that those who were maintained in a condition only just above that which should preclude disease and malady arising from bad living, was a condition above that for which gentlemen, as friends of the poor, plead the continuance of this law. I have here a specimen of what was the condition of those poor labourers in one of the midland counties, said to be better off than others, it is an extract from a paper published in Worcestershire."

"Wages of Agricultural Labourers.—The advocates of the Corn-laws say that their repeal would reduce the labourers' wages; others that their wages are already at the starvation point, and cannot be reduced. We give a case in point;—A labourer named Smith, was recently brought before the Worcester bench, charged with an offence against the Highway Act, and when the magistrates were considering the case, it came out that he was engaged as cowman, from Michaelmas last year till Lady-day this, at 16*s.* 6*d.*, besides his board and lodging, and had to pay for his washing himself. It further appeared, that for the two years previous to Michaelmas he had worked for 7*s.* per week, and found in everything, saving in harvest time, when he had dinner and drink. Under these circumstances, the bench mitigated the penalty to 1*s.* and costs, or one day's imprisonment. Smith's case is not solitary, but one of a rapidly increasing class."

Now, under these circumstances, with evidence within every man's reach of the wretched condition of the agricultural labourer in this country, I do really hope that gentlemen will be more careful than they commonly are in what they allege in defence of this law, for it does almost amount to insult to those who were suffering the severest privation, to tell them that a law injurious to every body else was kept to benefit them. I do not suppose that the supporters of this law will much heed what I say on this point; but I do assure them that there is now an intelligence abroad on this subject that will utterly preclude the success of any of those fallacies that have been used before, and that every thing which is said will be carefully scanned and judged of by men well informed on the matter. Let them remember what had been the consequence of urging that there were peculiar burthens on the land as a pretext for the Corn-laws. Why, that inquiry into its truth was demanded. Two motions in this House have been made to this effect; were they conceded? No, shrunk from, and why? Because, after the matter had been thoroughly sifted, it was found, that so far from their being exclusive charges, there were shameless exemptions. With regard to the tithes that were spoken of as a plea by some for raising rent by law, and which some were induced to believe by confusion being artfully created in their minds between a right reserved in the land as old as its appropriation, and a public burthen for which the present owners of the soil were made especially liable. Tithe is only an ancient right reserved in the State to a portion of the profits of the land applicable for the purposes of religion, a right, I trust, the State will never part with, and for which the landlord has no more right to indemnity than he has to be indemnified for not possessing another man's property. That there were inconveniences and some check to improvement in the old way of collecting the tithe or exercising this right, is well known; but we are talking at a time when the commutation of the tithe so collected for a fixed pecuniary payment has been nearly completed, and the inconvenience or mischief no longer exists; and to talk of a Corn-law as an indemnity for tithe, when in Scotland no tithe is paid, and in England more than one quarter of it is tithe free, and that a large portion of the tithes belong to landlords themselves is in my judgment an extravagant absurdity. As for the land-tax, it is doubtless a deduction from rent but one to which the State is entitled, surely, considering the manner in which the landlords in Parliament have dealt with that since it was imposed, it never can be for their interest to have it discussed or inquired into; for no man can learn that history without almost feeling that, as a class, the landowners had proved themselves utterly unworthy of public trust, for nothing ever was more shameless than the manner in which the State has been deprived of its due amount of that tax by a gross violation of the bargain the landowners made with the Crown when it was imposed. It was strictly in lieu of the feudal services by which alone their lands were held, and for which 4*s.* in the pound on the rental was imposed, an inadequate commutation for the inconvenience to which such service would have exposed them, but which now, did it yield what it ought, would have covered the whole amount of, and thereby dispense with the Excise. Did the land-tax now pay its proper quota, it would yield 13,000,000*l.* a-year instead of little more than 1,000,000*l.*; but by causing the assessment to be fixed upon the valuation the land made 150 years since, the public have been defrauded of the difference. But the claim of any special burthen being upon the landlords of England is the most barefaced pretext for the Corn-law that was ever put forward, when it is matter of history that there is no country in Europe where the feudal system has prevailed where the landowners and the aristocracy have made such favourable terms with the Crown as in England. In all other, whether in Austria, Italy, Prussia, Belgium, and France, they have submitted, in lieu of services, to a considerable direct tax on their land, bearing a large proportion to the whole taxation of the country. But, Sir, in calling for this great act of policy and humanity, that the supply of food to the community should not be obstructed by law, I will not descend to discuss the miserable pretence for monopoly in a parcel of local liabilities which attach to property. I demand, on the part of the community, some reply to the question which is here proposed, upon what principle of justice or wisdom the trade in the people s food is not allowed to be free, when, on all hands its taxation as accessory to revenue is repudiated, and it is avowed by the Minister, that from the deteriorated condition of the people that the limits of taxation on the necessaries of life have been already passed; and I do hope on this occasion, that the right hon. Baronet will not content himself with fencing with small details, and taking advantage of slight errors or inaccuracies of unguarded opponents, but will give us his general views of the present economical condition of this country, and apply himself to the main feature of this question, that I now propose to him—namely, that people are not adequately supplied with food, that their numbers are increasing, and that the law exists purposely to make food scarce; and let him tell us in answer, whether he considers that the people are adequately supplied with food in this country, and if not how he can justify the maintenance of a law having such a purpose as the Corn-law, and which men of the very class who maintain it, and who know the objects of those who passed it, admit to have been passed for their interest; the people well know that Lord Fitzwilliam has openly declared that the law has been made for the interest of the landed aristocracy:—" The painful confession must be made that our own benefit is the true object for which this obnoxious code is established," are his words; and we know that the late first Minister, Lord Melbourne, in the other House, reminded their Lordships in a friendly way, that the pinch of the question was, that they were legislating for their own pockets, that Lord John Russell, in the face of the citizens of London, declared that the law was one made not for the community, but for a particular class, and that he opposed it because he wanted to liberate our commerce, and to unchain the industry of the country; and lastly, the people have heard Lord Mountcashel's view of its necessity, who, in his simplicity, uttered the truth plainer than other men, for he said he wanted it to enable great men to pay their mortgages. Now, then, upon such authority as to the object of the law, and with the people's experience of its effects, what can be said to satisfy them that they ought not to call for its repeal. The case stands thus—this law avowedly passed with a partial object still continues, the people are hourly increasing in number, they are wanting more food, there is no lack of food in the world, there is no lack of means in this country to procure it, and if the law did not prevent food coming into the country, it would be utterly useless to those who maintain it. And let the House, I implore you, also remember that the general opinion out of doors is, that the continuance of such a law is nothing less than an outrage on humanity, and a scandal to Christendom. On these grounds, then, I ask the House to resolve itself into a committee of the whole House to take the Corn-law into its consideration, with the view to its immediate abolition.

Mr. *Villiers Stuart* seconded the motion. He was aware that there were many advantages possessed by the landlords, said he could wish to find a disinterested witness from some other part of the world, and ask his opinion with respect to the effect of the Corn-law; but there would be much difficulty in doing so, for if he looked to Europe he should be told that all the agriculturists of the Continent were interested in the supply of grain. Again, if he turned to America the same would be said. He would, therefore, go further off, and suppose that in consequence of our new relations with China some lord high commissioner were to be sent from there to this country, and, in his anxiety to become acquainted with our affairs, he were to look over our tariff and find a particular legislation laid down to make the entry into the country of a particular article called corn as difficult as possible. It would not be at all surprising if this high commissioner were to come to the conclusion that the state of things produced by that regulation was a just retribution upon the country of the "barbarian eye" for their attempt to deluge China with the noxious poison called opium. It might be imagined that the commissioner, upon finding this law was intended to keep out an undesirable commodity, would feel disposed to recommend the adoption of some such "sliding-scale" to his own sovereign, with a view to keeping out opium. Well knowing, however, that his imperial master had a way of summarily punishing the projector of an unsuccessful experiment, the commissioner would inquire particularly what had been the practical effect of this law for keeping out corn; he would doubtless apply to the Vice-President of the Board of Trade for information; and then would he find, much to his disappointment, that not long after the law had passed to keep out corn, that class of men called farmers, for whose express benefit the law had been made, had been deluged by the influx of some 2,000,000 of quarters of the prohibited article. The commissioner, however, might then think that his imperial master had another object in view than to keep out opium—namely, to keep in Sycee silver; and would apply to the Chancellor of the Exchequer to know what the effect of the law in that respect had been; and then the commissioner would be astonished to find that every grain of this corn had been paid for in solid coin. He thought they were bound to alter this law by every consideration not only of policy, but of personal interests also, if they took an interested view of the question. The Government was about to mitigate the evil, it was true, by the introduction of the Canadian Corn Bill. He admitted that that measure would do some good, but at the same time it was very like administering a mere soothing medicine to a person suffering under a disease, instead of applying a remedy at once to the disease itself. The measure, moreover, had this disadvantage, that it gave to Canada the monopoly of supplying this country. Shortly the wastes there would be cultivated, capital would be invested, and then the growers there would be protected in the same unnatural, and, as he believed, impolitic way as the agriculturists here had been. Then the time would come when that law would be swept away, and then their prosperity would be at an end. He begged leave to second the motion.

Mr. *Gladstone:* Sir, I am aware that there are many Gentlemen on this side of the House who are anxious to address the House upon the important subject now submitted to it; but I trust I shall find apology with those Gentlemen, and with the House, for interposing between them and the delivery of their sentiments, on account of the anxiety I feel to avail myself of the first opportunity that offers itself in this debate for the purpose of declaring, on the part of my right hon. Friend, the course which the Government think it necessary to take with respect to a subject of this importance; for, upon a motion in which so many interests and feelings are involved, a motion in which considerations of such vital moment are included, not the slightest doubt should be allowed to exist as to the conduct which the Government feel it to be their duty to pursue. I need, I trust, hardly say that the intention of the Government is to meet the motion of the hon. Gentleman by a direct negative. I can hardly imagine that the hon. Gentleman himself, in proposing this subject for the consideration of the House, has done so with a view to any advantage he can expect to derive from the division by which the sentiments of the House will ultimately be manifested. The recollection of last year must be fresh in his mind, when in a full House, amounting to very nearly 500 Members, 393 of these Members declared themselves against the abolition of the Corn-laws, while no more than ninety were in favour of the hon. Gentleman's motion. Perhaps, the hon. Gentleman may be of opinion, that since that time there has been a progression of public opinion in favour of his views. If that be so, I differ from him, and join issue with him on that point. I believe that if his motion were an unreasonable motion twelve months ago — at least this House judged it to be an unreasonable motion, I believe, on the one hand, that every ground upon which it was then decided to be unreasonable, remains the same: nay, more, that every argument on which it was pronounced unreasonable, has acquired, in the interval, greater force. On the other hand, I believe that many of the reasons which were then urged in favour of the motion, have now lost their force. The hon. Gentleman who seconded this motion, has spoken of an intention on the part of the Government to mitigate or qualify in some degree the measure of last year, by a bill for the admission of Canadian corn. I do not wish to forestall the discussion which must take place upon that subject, and the full consideration which the measure will receive; but thus far I may venture to go—I may disclaim all the credit which the hon. Gentleman would award to the Government on that ground. My conception is, not that it is a measure for the purpose of amending the Corn-law of last year to suit it to the exigency of the time, but that it it a measure which was indicated at the time of passing that law, and is, in fact, no more than the fulfilment of an engagement made at that time. In stating the reasons for meeting the motion of the hon. Member for Wolverhampton with a direct negative, I must, in the first place, make that which I know is a strong assertion, and requires strong ground to bear it out; but still I am prepared to go so far as to say, looking at what has occurred within the lapse of the last twelve months, and looking at the brevity of the period, that I not only regard the motion for the repeal of the Corn-laws as impolitic in itself, but as involving something which would be very nearly approaching to the character of a breach of faith on the part of the Government and of this House; and it would certainly convict those who passed the law of last year of the grossest imbecility in the face of the country and the world, if they were to turn round upon that measure without allowing what, in common decency, may be called a fair trial of its merits, and were to adopt a course diametrically opposite in principle, and leading to results they then described to be ruinous. I would say of the Corn-law as of all other laws of the kind, that, as a commercial law, it partakes of the nature of an experiment, but it also partakes of the nature of a contract. It is perfectly true, that Parliament may change its mind, if circumstances change, or the dictates of reason show that the ground upon which it had proceeded are false; but in the absence of such motives for alteration as the measure does partake of the nature of a contract—any alteration made in it, without either sound and substantial allegations on the one hand, with a frank confession of error, or on the other, a change of events rendering a change expedient, would amount to a breach of contract. Can any hon. Gentleman say that this law has received anything like a fair trial? I do not ask the hon. Member for Wolverhampton such a question; because he has ever been the consistent advocate of a total and unconditional repeal of this law. He has always said—and never more distinctly, never with more rigid impartiality than to-night —that he regarded not the question as one of time or of degree; he has always denied that he would take notice of the more or less of evil to arise from the immediate repeal of the law. He has always aimed the axe at the root. His objection is to a tax on the necessaries of life in any shape or form whatever. He said, "I do not come here to argue about the best means to attain a bad end;" meaning, to raise no question as to amount or degree. His objection is vital,—he objects to the principle of the measure as a cruelty to the people, as aiming at the starvation of the people, and that objection he states broadly. And it is upon that objection that he has founded his proposition to-night; and to that proposition I shall at present apply myself. The hon. Gentleman who has seconded the motion said, he could not conceive that agricultural commerce ought to be legislated for in any manner different from manufacturing commerce. He complained, that that idea had prevailed, and that there still existed a disposition to legislate differently for one description of commerce from that of the other. I conceive we are now discussing, not a question about one amount of duty or another, but the question between protection and no protection; and I turn the argument of the hon. Gentleman against himself, and complain that the proposition now made is the very proposition which would deal with agricultural commerce in a manner different from that adopted for manufacturing commerce. The proposition is this, that the most important production of the soil should be deprived altogether of a protecting duty, while only last Session the Parliament did, on behalf of manufacturing commerce, adjust anew the principle of protection. I know the hon. Member for Stockport (Mr. Cobden) will say the manufacturers of this country do not want protection, and when he refers to certain great branches of manufactures, which depend chiefly upon foreign markets, I do not deny that those engaged in such manufactures are ready to dispense with protection; but I speak of all the descriptions of labour. There are a vast number of manufacturers besides those who prepare goods for exportation; and I do say, in opposition to the hon. Gentleman, that whatever he may think or assert, yet the parties themselves assert on their own behalf opinions very different from his. And this is the case even on the part of some of those persons who do export manufactures very largely. Take for example the linen trade. [Mr. *Hume*, hear.] I hear the hon. Member for Montrose cheer. Then I can only say the linen trade has practised the grossest imposition upon the Government during the last Session, because, not only did they represent to the Government that there was no disposition on their part to dispense with protection, but they even proposed that an increased protection should be afforded to them. That was a proposition pressed most assiduously upon her Majesty's Government by those representing the linen trade in Scotland as well as in Yorkshire: and when the Government opposed the proposition, my hon. Friend the Member for the West Riding pressed the point upon the House of Commons. A great deal of time was spent last Session in adjusting the duties for the support of the various interests connected with manufactures, the House having then, as for many years before, proceeded on the principle that protecting duties were necessary in our commercial system. Therefore, in strictness and truth, when hon. Gentlemen come forward and call upon the House to do away with all protection affecting the great articles, the production of the soil, they are the parties who are proposing to apply to agricultural commerce a rule and measure totally different from the rule and measure applied to commerce of another description. It is for them to show cause why that rule should be abandoned exclusively to the disfavour and prejudice of agriculture. It is alleged by hon. Gentlemen opposite that there has been too much protection afforded to agriculture, that agriculture has been the favourite subject of protection, and that class-legislation has been directed to giving protection and encouragement to the growth of corn. I will not now go into that question, because we are not at present discussing the amount of protection given to different interests, but supposing this allegation to be true, what is its bearing upon the proposition for removing protection altogether? It is the very reverse of that which the hon. Gentlemen opposite contend that it is. For if it be true that our laws have hitherto held out this great shelter and aid to agriculture—if it be true that a great amount of capital and industry have, in consequence of our laws — whether mischievous or otherwise — been invested in the cultivation of the soil, then I ask, is not the House and the country under a moral obligation to allow to these circumstances their due weight, and instead of turning round upon those engaged in agricultural pursuits and saying to them "We will deprive you of all protection, because the laws have hitherto peculiarly favoured you," are we not bound on the other hand to admit that the legislature has given its pledge, either by implication or by direct enactment (and this pledge is an important element in a just consideration of the present question), to take care that none of its measures shall place them and their various interests in a worse position than other interests, and it will adopt any proposition that will deal out to them greater injustice than if they had never received any legislative favour or protection whatever? I am now, for the sake of argument, admitting the truth of these allegations, and I will then even show that the conclusions are wrong. How does the Legislature act in the case of a sinecure? It does not inquire whether it be one which it is expedient for the public to have had created. No, it recognizes the rights which have been so created—it recognizes the pledge of the public faith which has been given, that the party shall not be deprived of that sinecure without a due consideration of his claims. I ask you, on the part of the agriculturists, whether, at a period when you have recently re-established, as being suitable to the times and circumstances of the country, the principle of protection, and have applied it, in such measure and degree as you have thought just to the producers of all articles of trade and manufacture in this country who chose to claim the benefit of it—whether, at such a period, you shall refuse to apply, as the hon. Gentleman proposes you should do, the same principle of protection to agriculture, and refuse to accord to the agriculturists that which you have granted to all other interests in the kingdom. The hon. Gentleman has argued that the present is a favourable time for removing the Corn-law from the statute book on account of the low prices of provisions. I, on the contrary, shall insist that cheapness of provisions is an additional reason why the Corn-law should not be removed. I contend that the cheapness of provisions, while it removes the necessity on the part of the consumer for repealing the Corn-law, would increase the hardship of repealing them on the part of the producer. I do not know whether there ever has been a period in the history of this country—at least, within the last sixty or seventy years—when agricultural produce of all kinds taken together, have been as low in price as at present. About eight years ago, 1835, we had perhaps the cheapest year of any year within the memory of those I now address, and I have been curious to compare the prices of the great leading articles of agricultural produce in the year 1835, with the prices they bear at the present time. I shall for the present omit the article of wheat and the statement of other prices is as follows:—

	In May, 1835.	In 1843
Barley was	32*s.* 3*d.*	28*s.* 6*d.*
Oats	23*s.* 3*d.*	17*s.* 4*d.*
Beans	36*s.* 6*d.*	26*s.* 1*d.*
Peas	35*s.* 5*d.*	28*s.* 0*d.*
Beef from	3*s.* 2*d.* to 4*s.* 2*d.*	3*s.* 0*d.* to 3*s.* 10*d.*
Mutton. from	3*s.* 6*d.* to 4*s.* 6*d.*	3*s.* 0*d.* to 4*s.* 0*d.*
Butter...	74*s.* 0*d.*	74*s.* 0*d.* also
Cheese. from	54*s.* 0*d.* to 70*s.* 0*d.*	55*s.* 0*d.* to 83*s.* 0*d.*
Wool from	1*s.* 6*d.* to 1*s.* 9*d.*	11*d.* to 1*s.* 0*d.*
Hay from	£4 0*s.* to £5 0*s.*	£4 10*s.* to £4 15*s.*
Straw from	£2 0*s.* to £2 4*s.*	£2 6*s.* to £2 10*s.*

The result of this table is, that only two articles, cheese and straw, are materially dearer now than in 1835. Cheese is 11 per cent. higher, and straw 14 per cent. On the other hand, there are seven of these great articles which are now cheaper than in 1835. Barley is 11 per cent. cheaper, oats 25 per cent., beans 28 per cent., and the article of wool is no less than 41 per cent. cheaper than in 1835. So far, therefore, as the ability of the consumer is affected by the dearness of food, I do not think the prices at the present time at all advance the argument of the hon. Gentleman, that poverty is created and the consumers are impoverished in consequence of the high prices of agricultural produce. Now let us look at the article of wheat. In May, 1835, it is true the average price of wheat was 39*s.*, while in May, 1843, it is 46*s* 4*d.*, being 7*s.* dearer; but although there is this difference, yet I do not believe that, as regards the article of wheat, the agriculturist at this moment, upon the the whole, is in a more favourable condition than, or even as favourable a condition as that which he occupied in 1835; because at that period he was selling exclusively his own growth, whereas at the present time there has not been less than three millions of quarters of foreign wheat introduced into this country. The producer has been placed in the peculiar situation of having that quantity of produce imported which is proper to a year of scarcity, together with prices which belong to a year of good harvest. The result, then, is that prices are low, and are so far easy to the people. The hon. Member for Wolverhampton says, "Food is scarce—there never is enough of it—study how to increase the supply." He says, "Prevent periods of dearth and high prices, and you will do more than all that can be effected by education and religious instruction." Why, does the hon. Member think that it is in the power of man to prevent high prices, or that it is within our reach to prevent dearth. By dearth I mean such high prices as press upon the comforts of the people. Does the hon. Gentleman think that the difference between a good harvest and a bad harvest is merely a matter of legislation? Does he think that the difference between five bad harvests in succession and five good harvests in succession can be regulated by a change in the law? Does he really believe that there are at all times to be had, irrespective of the regular demand, for I am not speaking of that, but of the demand which occurs on the occasion of a bad harvest—for I presume that the hon. Gentleman will allow that there would be a greater demand under a system of free-trade when the harvest was bad than when it was good—does he believe that there will be at all times to be had a supply of corn at the same regular scale of prices on the occurrence of a bad harvest in this kingdom? If not, then what must be the consequence of no less than the succession of five bad harvests? Would it be in the power of any legislation, under such circumstances, to preserve equal prices. [*Hear*]. I certainly understood the argument of the hon. Gentleman to be, that with an open trade in corn, we might have a fixed demand for corn. But I must say that over and above a steady demand we must have an additional demand in the case of years of bad harvest; and the hon. Gentleman who cheered, and who was cheered by another hon. Gentleman said that the further demand would not cause a further rise in price, and that no inconvenience whatever would be felt. If so, then the hon. Gentleman must also contend that if we have five bad harvests in succession, there would be no pressure and no inconvenience caused by them. The hon. Gentleman had said that there are ten millions of people in this country without the common necessaries of life. Now, I should be sorry to speak with levity of anything connected with the distress of the country. I am too well aware of the existence of that distress, and I am too sensible of its being the duty of this House to adopt every measure in its power that may tend to remove that distress, to speak with levity upon such a subject; but the hon. Gentleman must at the same time excuse me for thinking that it is a most extravagant statement to say that ten millions of people in this country are without the necessaries of life. I know that the hon. Member did not mean to say that they were in a state of starvation, for he has qualified the expression in another place, but that these ten millions are unable to command wheaten bread, and are compelled to live as he said, four millions upon oatmeal, while six millions rejoice in potatoes. I, for one, should certainly rejoice if wheaten bread and other comforts could be enjoyed by every individual in the nation. But the hon. Gentleman's case is of a different kind. He has to show that it is owing to the Corn-law that these ten millions do not enjoy wheaten bread. He has to show that it is an evil springing from that law, and that the law increases the evil. He says,

> "You, the producers, are growing rich, while the consumers are growing poor."

I am not aware that the producers of corn are growing rich. I think there may be two opinions upon that question. But I do not think that the consumers of corn are growing poorer relatively to what they were in former times, in consequence of the Corn-law. I do not say that their condition is as good as it was four or five years ago; but this I do say, that if you compare the present state of the people with what it has been in former generations, I believe the evidence of facts goes to show that, as far as having a command over the necessaries and comforts of life is the question, their condition is better even at this moment of great and peculiar distress—but at all events upon an average of years—take the last ten years—their condition is very materially better than it was thirty, forty, fifty, sixty, or seventy years ago. A great transition has been effected in the diet of the people of this country within the last century. 100 years ago rye was the food of the common people of this country—not merely of the people of Scotland and Ireland, from whom the hon. Gentleman has derived very nearly the whole of his 10,000,000, for otherwise I know not where he would find them—but 100 years ago the people of England lived not upon wheat but upon rye. But when we are speaking of the wants of the people as a matter of complaint against the existing state of the law, we must not compare it with an abstract state of perfection, but with what their state has been at former periods; and if you do this, I believe it will be found that the subsistence of the people for the last ten years has been far better than it was two generations ago; and that if you take them as compared with other countries; if you go to the continent of Europe and travel from one country to another, you will scarcely find any one country in which the subsistence of the people is not fixed at a considerably lower standard than the present subsistence of the people of England. But let us look at the subsistence of the people as depending upon the price of wheat, which is the staple commodity. There was a state of things in this country when trade in corn was practically free. There was no artificial obstruction to its importation, such as caused a very great enhancement of prices during the war. But, if I take a period antecedent to the revolutionary war, I think a very fair comparison may be instituted with reference to the subsistence of the people as depending upon prices. There are twenty-two years for which I have public returns of prices, being the period from the year 1771, to the year 1792. In those years the average price for the whole period was very nearly the same as at present. In twelve of those years, when the trade was practically free, the average was higher than now, in ten of them the average was lower. I am not entering into the question whether freedom of trade in corn would greatly diminish the price. I do not think, as a permanent reduction, there would be so enormous a diminution as some think. But I am speaking of certain facts with reference to the effect prices have on the condition of the consumer under the present law. I say, that the price which the consumer is now called upon to pay for his wheat, is, upon the whole, rather lower than higher than the price was which he paid for it during the twenty-two years of unobstructed trade in corn, which prevailed in this country before the revolutionary war. It appears to me, that if it really had been the object of the hon. Gentleman to operate by his division to night, and if he had looked at his motion as a practical motion, he would have found it necessary to state some justification for raising a question as to the existence of the present Corn-law within twelve months of its enactment, because something is due to the Parliament which passed that law, however the hon. Gentleman may dispute the judgment of that Parliament. If every individual Member were to act upon his own views of any particular measure, and should revive a question which has been formally decided by the House so recently as the previous year, it is manifest that the public business could make no progress, and that the public interest must be injured. Now, I ask whether the hon. Gentleman has given, even to those who think the question open for discussion, any justifiable ground for his bringing it forward at the present time? Can any candid man say, that sufficient time has elapsed since the passing of this law to enable us to say, in any fair and reasonable degree, that it has been tried? It has existed one short year, and that not an ordinary year; but one which stood, in respect to the growers of corn, as an exception from every other year. I do not know whether there has been any year in the present century in which the anticipations of the harvest, and the results of that harvest, were so remarkably contrasted. I have been much interested in referring to those journals which give intelligence to the public in respect to matters connected with the corn trade, free from all bias, by noticing the prospects of the harvest last year, subsequent to the passing of the existing law; because whatever may be the merits or the demerits of that law, these facts must have weight in enabling us to judge of the operation of the law during last year. *The Universal Corn Reporter*, an important publication, issued weekly, and devoted to giving intelligence with respect to the prospects of the harvest, contained the following reflections, at the dates assigned to them.

> "June 13, Serious apprehensions of injury from drought. 17, Increasingly unfavourable reports respecting the growing crops. 24, We fear, that even under the most auspicious circumstances the yield will again prove very short this year. July 1, By many men of great experience it is estimated that even under the most auspicious circumstances the produce must be considerably short of an average. 8, The opinion, that the yield will prove short continues to gain ground. No change of tone; and, August 5, We are inclined to think that the produce will barely reach an usual average."

By the 12th, however, the tone had changed, for then they said,—

> "The produce of corn will, in proportion to the straw, be great, which together with superiority of the quality will probably do much to make up for any acreable deficiency."

The fact is, that in ordinary years there are very reasonable grounds of anticipation of the character of the harvest, but upon the whole this may be taken to be true, that in the spring, even perhaps in the seed time of Autumn, there are symptoms by which those who are accustomed to trade under the observation of the growing crops can, in nine cases out of ten, predict what the ultimate character of the harvest will prove to be. That is the general rule as regards the production of corn, and as regards the operation of the Corn-laws. But in 1842, this was altogether reversed. The seed time of 1841, had been unfavourable almost beyond precedent. So bad were the symptoms, that they led to unusual operations in the corn trade, and to the great bulk of those orders being sent abroad for foreign corn, which subsequently turned out so ruinous. In spring this anticipation was confirmed. Damages had been done which were so extensive, that they appeared irretrievable; and even up to the period when the sickle entered the corn, nay, even until the corn was brought to market, there were no means of knowing what its yield might be. Therefore, the character of the last year was something different from any year during the present century. According to Mr. Welford's work, quoted by the hon. Member, which gives a detail of the particulars of all the harvests during the present century; there is not one of the corn years during that period in which there were circumstances at all resembling those of last year. If it would be unreasonable under almost any circumstances to argue upon the operation of a Corn-law from its working for a single year, most of all is it unreasonable to argue from the experience which has been afforded by the last year, not only so limited as to time, but differing as it did in almost all particulars from the usual course of things, and from every corn year within the memory of the present generation. With respect to the hon. Gentleman's statement that the supply of food is insufficient, and that it always must be insufficient, I cannot help thinking, whatever may be the ability which he brings to bear upon the discussion of this question, and I readily acknowledge his ability, that there is a kind of prism in his mind which coloured every fact upon which his mental vision falls, which connects it in some secret and almost magical manner with the operation of the Corn-laws. Whatever of evil he imagines to exist, that he attributes to those laws; and whatever of happiness he desires to obtain, that he thinks can only be realised by repealing those laws. With respect to crime, I do not deny that poverty leads to crime, and that high prices produce poverty. The hon. Gentleman quoted the amount of committals in 1826, when corn was cheap, and in 1841 when corn was dear; he showed, that there had been a considerable increase of committals, and immediately he exclaimed, "See the effect of your Corn-law!" But I can give facts which will wholly reverse the argument. Take the year 1825, when corn was 68*s.* 6*d.* a quarter, the committals were 14,214. In the year 1826, corn was 58*s.* 8*d.* a quarter, and the committals ought to have fallen, according to the hon. Gentleman's argument, but, instead of that, they increased to 15,986. In 1827, the price of corn was 58*s.* 6*d.*, but the committals had still increased, and were in number 17,654 In 1828, corn rose to 60*s.* 5*d.*; the number of committals, however, fell to 16,370. I trust the House will forgive me for introducing topics of this kind. But I only allude to them to show how easily the converse of the argument of the hon. Gentleman may be established by referring to the very same data he himself adduces. I do not deny, that poverty leads to crime, but I have shown how exaggerated and extravagant the temper of that mind must be which finds in these facts an argument against the Corn-law. The hon. Gentleman spoke very hopelessly upon the subject of agricultural improvement. I think there are grounds for expectations much more cheering than those which the hon. Gentleman finds. It would be great presumption in me to deliver an opinion upon such a subject, but there are Gentlemen of authority on such matters who do look forward with sanguine anticipations of great improvement in the methods of cultivating the soil, and of a corresponding increase in its productions. The hon. Gentleman astonished me when he spoke of a party in this country who are opposed to increase the productive powers of the soil. News more astonishing to me never came by Overland Mail nor any other conveyance. I believe it to be only the phantom of the hon. Gentleman's own mind. No doubt in this country, where opinion and thought are unconstrained, and where every man may utter the strangest notions, many such conceits are begotten and produced to light; but that such a doctrine, that so unnatural and monstrous a spirit, that one so hideous as that which would wish the production of the soil to be restricted, for the purpose of maintaining high prices, and of getting the highest amount at the least possible comfort to the purchaser, exists in this country, is what I never can believe. I am happy in believing the idea is a delusion. [*Cheers.*] And, Sir, I should be sorry, indeed, to believe that there are Gentlemen in England—and still more sorry to be assured, by those cheers, that there are Members of this House—who can believe in the possibility of such a thing. But, may I take the liberty of quoting a short passage from a work on the subject of the state of agriculture in England. It is contained in the 3rd volume of the *Agricultural Journal,* and is understood to have been written by my hon. Friend the Member for Berkshire. It is to this effect:—

> "Now that these things [having spoken of improvements in agriculture] are come to light, we may hope not only that they will be spoken of but practised more generally—that draining-tiles will be greatly cheapened, more drains be cut, more chalk be laid on the downs, the wolds, and the clays, marl on the sands, clay on the fens and peats, lime on the moors, many of which should be broken up; that old ploughs will be cast away, the number of horses reduced, good breeds of cattle extended, stock fattened where it has hitherto been starved (though this is now rare), root crops drilled and better dunged, new kinds of those crops cultivated, and artificial manures of ascertained usefulness purchased. It is the knowledge of those weapons which we actually have in our hands that may make us look back with satisfaction to the efforts we have already made, and forward with cheerful confidence to the improvement of husbandry through the collective experience of our farmers."

Guarding myself against the presumption of expressing an opinion upon such a subject, or as to how far we can look to the resources of our own agriculture, with such increase of produce of the soil, as shall enable us to support our increased and growing population in comfort, I cannot but, at all events, pay my tribute of respect and admiration to the hon. Gentleman, and to the Gentlemen like him, who have devoted their best energies to the improvement of the valuable processes pointed out by him, and who thereby do lend the most powerful aid to the encouragement of that agriculture which is the surest support of the social edifice of this country. My humble opinion is, that the present moderate price of provisions which tends very much to weaken whatever arguments the hon. Gentleman might have derived from the state of the provision market two or three years ago in favour of the motion which he has now submitted, is not altogether an unmixed good; although, I trust, there is a great balance of good resulting from cheapness of provisions, yet even cheapness itself may be attended with unfavourable consequences. The hon. Gentleman has asked whether any land had been thrown out of cultivation? I am not aware, that there has been; but before you come to the last extremity, there are intermediate measures, such as reducing the amount of labour bestowed upon the land, that may work much evil. And I am afraid that, in some parts, that process has been carried into effect, and I am quite convinced, that the adoption of the present motion would carry that process to a much greater extent. It does not follow, that because land is now cheap, that a very violent reaction might not be produced by any sudden operation upon the Corn-law, which might be productive of the most ruinous consequences. Let me, for a moment, refer to the state of America. I have lately seen in the newspapers, with some surprise, that the Americans are about to send manufactured goods to England. What does that indicate? Not that these goods are produced in the natural state of things there cheaper than in England; but that, owing to a total derangement of the circulating medium in America, there has been such an unnatural reduction of prices that there has been called into action a disposition to force exportation, under circumstances which would be otherwise attended with great sacrifices. In America prices are unnaturally low. Let us apply these considerations to agricultural produce in that country. We are told that the system of barter is almost established in America. However that may be, there can be no doubt, that at the present time the productions upon the Mississippi are at most unnaturally depressed prices. I have seen a report from a person who was sent to the western states of the Union in the autumn of last year, by one of the corn houses of this country. That person has made an investigation into the state of the harvest last year, and the probable quantities of wheat and flour that might be exported from the Mississippi in case of an opening into this country by a repeal of the Corn-laws. His report states:—

> "The quantity of wheat produced last harvest has proved greater than was ever known before. The probable quantity which will be

sent to New Orleans during the season may be estimated at 2,500,000 bushels—say 300,000 quarters, besides 500,000 or 600,000 barrels of flour—say 350,000 quarters. When the navigation of the upper river opens, in March and April, the probable prices of wheat and flour at New Orleans are likely to be 55 to 65 cents. per bushel of 60 lb. for the former, and 3 dollars for the latter, equivalent to 20*s*. to 24*s*. per quarter of 480 lb. free on board for wheat, and 13*s*. 6*d*. per barrel for flour."

It may sound paradoxical to say, that cheapness may be a misfortune; but the introduction of that quantity of wheat from New Orleans, in the event of the adoption of the motion of the hon. Member for Wolverhampton, would, under present circumstances, be a national misfortune. If the wheat could be sold there at 22*s*., and imported into this country for 10*s*. more, the violent effect upon the price of corn, notwithstanding its cheapness, would on the whole be a misfortune. The hon. Member talks of the facility with which people who feed upon potatoes may be brought to feed upon wheat: this is very true; but let him take care that he does not bring those who now feed upon wheat to feed upon potatoes. It is easy for the hon. Member to select isolated cases of individuals brought before a bench of magistrates as a specimen of what is going on in the agricultural districts; in my opinion such instances afford no criterion whatever of the condition of those districts, and although we have cause to wish their condition better, yet he would be but a short-sighted and false friend to those agricultural labourers who would adopt any legislative measure which would lead to any considerable dismissal of those labourers from their employment. I must confess, that there appears to me to be considerable injustice in the argument used by the hon. Member who made the present motion, in which he pointed his arguments against those who derived rent from the land. "The farmers of this country (said he) have the finest climate and the most productive soil, but the artificial amount of rent is the burthen that presses them to the ground." Of the three parties to be affected by the repeal of the Corn-laws, the landlord, the farmer, and the labourer, I contend, that the landlord would be the least affected. What is the doctrine of rent? The hon. Gentlemen opposite are students, or rather perhaps professors, of political economy; and I challenge them to controvert this position—that if in this country you reduce rents largely and permanently, the consequence must be to displace agricultural labour—to throw land out of cultivation. What is rent, according to all the writers upon the subject? Without tying myself to exact expressions, the substance, I believe, is this, "Rent is what arises in a country, in the natural course of events, when the increase of population drives the people to the cultivation of inferior soils, and rent measures the difference between the cost of production on the best soils and on the worst." If such be the case, how could rent be reduced without throwing land out of cultivation? As long as our present extent of soil remains in cultivation, rent must remain. If you throw soils out of cultivation, there must be a displacement of agricultural labour. There appears to me on the contrary, much more truth in the doctrine that rents might be maintained concurrently with a displacement of agricultural labour. It might be true that the attention of the agricultural producers of this country has been too exclusively fastened on corn. It might be true, that by diverting their land to pasture, the landlord might, in many cases, obtain more rent; but then what was to become of the labourer? This may be treated by some as a light matter, the hon. Mover was even jocose upon the subject; he said that the labourers might take the land on the allotment system; but the hon. Member knows perfectly well that the allotment system is not intended to create small farmers, but to procure an addition to the comforts of those whose main subsistence is derived from wages. It is no answer, therefore, to tell us that the labourers would take the land on the allotment system. I have thus stated some of the reasons which appear to me amply to justify, or rather imperatively to require the rejection of the motion before the House; but I said in the outset that tbe hon. Member for Wolverhampton had shown himself singularly impartial, for he did not condescend to take any notice of the trifling distinction between this side of the House and the other, he did not urge a single objection to the Corn-law of my right hon. Friend; he took no cognizance of it; but the hon. Gentleman who seconded the motion noticed the sliding-scale, and professed himself hostile to the particular Corn-law now in operation. I maintain, in the first place, that it is unjust to assert that the present law has yet had a fair trial; but I am not therefore prepared to say that that law must necessarily be a good one. Let us, however, take the experience of the last twelve months for what it is worth and nothing more, and I do not hesitate to say that that experience has been favourable. It seems to me that the expectations held out by my right hon. Friend have been fulfilled by the operation of the law as far as it has gone. It was admitted twelve months ago, that the law then in existence was one of great stringency and severity—much more so than was foreseen by those who were its authors. It was not foreseen that the effect of the sliding-scale would be to induce the importers of corn to withhold it from, instead of bringing it into, the market; and it was never expected that by the measure of last year all difficulties and inconveniences would be removed at a single stroke, however it might suit the hon. Member opposite to hold out such an expectation. The hon. Member's plan, indeed, had certainly the plausible recommendation of putting an end to all uneasiness and all further agitation on the subject. The farmer would undoubtedly know what he had to expect, but he much doubted whether such certainty would increase his contentment. The expectations held out by the present law, as he conceived, were these: that it would by its operation mitigate or remove the inconveniences experienced under the former law as regarded the corn trade in connexion with our export trade, and promote the interests of the consumer, and that it would effect these great and important objects without any serious shock to the interests of the producer. As far as experience has gone, the anticipation has been reasonably fulfilled. If we look first to the consumer it will be admitted that he has no reason to complain of the present price. I do not ascribe the present price necessarily and exclusively to the law, but if the consumer has no reason to thank it, he has certainly no reason to complain of the operation of the law of last year. Under the old law the complaint was that no corn was introduced into the market until the farthest point of the scale of duties had been reached, and that then corn was brought in in a mass. In this respect I do not think that the law of last year has had a fair trial, because the impression that the harvest would be bad exerted a powerful influence on importers who kept back their corn on the chance of introducing it at the lowest duty. It has been said that the operation of the present law has been in this respect just the same as that of the old law; that the change has only been nominal, not real. I have stated that I will not consent to be bound by the experience of the last year; but I will undertake to show even from the experience of the last year that there has been a material and perceptible difference between the operation of the two laws. Of late years the House was aware that there was one great week in the year which figures to a large amount in the entries for consumption; but I will take sixteen weeks under the new law, and compare them with sixteen weeks under the old law, observing first, that the complaint we have to meet is this, that no corn is released until the extreme point has been obtained; and that then it is released in a mass. In 1841, under the old law, that was nearly literally the truth. The whole quantity entered for consumption in the sixteen weeks was 1,959,000 quarters; and of this in the first fifteen weeks only 107,000 quarters were entered; in the sixteenth week the amount was no less than 1,852,000 quarters. Now, let the House see what were the facts under the new law in the corresponding sixteen weeks ending with the week of great delivery. The entries were somewhat greater than in the preceding year, and amounted to 2,204,000 quarters; but the proportions between the fifteen weeks and the sixteenth week were different. The quantity entered in the sixteenth week was 1,355,000, and the quantity entered in the fifteen preceding weeks was 849,000. Deducting the last week before the sixteenth, the quantity entered for consumption in the fourteen first weeks before the week of great delivery had arrived, or was immediately at hand, was 455,000 quarters, a quantity sufficient to exercise a considerable influence on the market, though a small quantity as compared with the wants of the people. Instead of 455,000 quarters, had the old law continued in force, I do not believe that we should have had anything approaching to that quantity. It is, therefore, not true, that the operation of the present law has been the same as that of the old law with respect to withholding corn until the last moment, even under the unfavourable circumstances of the past year. If the consumer of corn has no right to complain of the present law, neither has the producer. I admit that there has been a great fall in the price of corn. I admit that it has not been accompanied by such an abundance as to compensate the grower, and I admit further that it has not arisen so much out of abundance, putting the home and the foreign supply together, as it has arisen out of diminished ability to purchase. I venture to tell my hon. Friends on this side of the House, who may perhaps, think I am propounding a paradox, that in all probability, at this moment, if the old law had been in existence, the price of corn would have been lower rather than higher. I see my hon. Friend the Member for Wallingford (Mr. Blackstone) shakes his head, but that is not an opinion I have lately formed, and I will endeavour to state the grounds on which it rests. Before going into this explanation I am reminded that periods of much lower prices occurred under the old law. Indeed this was an argument much in favour on the opposite side of the House—namely, that the tendency of the old law was to produce alternately glut and scarcity—the most exorbitant and the lowest prices. I beg to remind the hon. Member for Wallingford, who I well know ascribes the most ruinous effects to the operation of the present law, that the average prices of the three years, 1834, 1835, and 1836, were not more than 44*s.* 6*d.* the quarter, while the average price of one of those years, 1835, was no more than 39*s.* and some odd pence. What has been the effect of the new law? In the first place the duties were so adjusted by the new law as to lessen the inducement to the importer of foreign corn to withhold his corn from the market. In the second place, inasmuch as great and just complaints had been made of fraudulent operations connected with the corn trade, of fictitious operations with regard to the averages and the high price thereby engendered, a large number of towns were added to the previously existing list, for the purpose of rendering these operations, in the words of my right hon. Friend at the head of the Government, infinitely more difficult, or even altogether impracticable. As far as regards these towns and the effect of including them on the averages, I believe I may say that the success of my right hon. Friend, in the course of the last year has been complete. There are very few serious men with whom I have conversed, who have not given it as their opinion that if the old law had continued in operation the averages last autumn must necessarily have gone up to the point of the minimum duty, 73*s.* A variety of influences would have contributed to produce this result. Under the old law corn would not have been so soon released, and prices must have mounted higher in order to have enabled the importer to sell. Last year the release took place under the new law, when prices were 64*s.*, at a duty which left a price of 56*s.* to the importer. Under the old law, at the price of 64*s.*, the duty would have been 22*s.* 8*d.*, so that the importer would have received less for his corn by 15*s.*, and consequently could not have released his corn at that price, and must have waited for higher prices. Orders, I believe, were sent over to the Continent by parties on the speculation that my right hon. Friend's provisions would not prove effectual, to prevent working the averages, and that they would be raised to enable the speculators to introduce their corn at a nominal duty. The third influence was that exercised on the holder of free corn in the English market. Of course the holder of free corn wished to get the best price he could for his commodity, and in calculating the prospects of the market he must always take into consideration the price of foreign corn. If the old law had continued in force he would have waited until he saw the price of corn rise to 73*s.*; under the new law he waited only till it had risen to 64*s.* Therefore, although the extent might be hypothetical, still, under the old law, the average prices which determine the duty must have gone up much more than under the new law. What would have been the effect on the foreign importer? It was clear that he would have been more stimulated by a price of 73*s.* than by a price of 64*s.* It was no paradoxical or extravagant inference, therefore, to assert that a greater quantity of corn would have found its way into this country; that more remote parts would have been swept for the purpose of procuring a supply, which would not have been introduced until the consumer had suffered from the delay. The ultimate consequence would have been that prices would have ranged both higher and lower; there would have been first a deficiency and afterwards a greater quantity thrown upon the market, therefore I am justified in assuming that the present law had an equalising tendency. It prevented the price from rising on the one hand, and, on the other hand, from reaching an unnatural point of depression. I admit that the fall in price has been very great, but I believe that the new law has tended to check the fall. The hon. Mover said, if not in words, in substance, " Give us free trade and steadiness of price, and to a certain extent this has been accomplished. But in order to test the position of the hon. Member we must look to what took place in other countries, and see whether prices were steadier there. I will not refer to the Continent, I will not go to the ports of the Baltic and Holland, because it has been truly stated, that those countries are more affected by the state of our markets than we ourselves : but I may fairly advert to America, because British demand does not affect the prices in that country ; at all events, it will be conceded, that during the last fifteen or sixteen months there has been no considerable demand on our part from the American markets—nothing to enable the opponents of the Corn-laws to say, " See what fluctuations your system has occasioned." The last accounts from Baltimore and Philadelphia are dated the 29th of March, and they most distinctly establish, that the fluctuation in the price of flour has been greater than in England. Between the month of March, 1831, and 5th January, 1842, there was a fall in the two descriptions of flour called City-mills flour, and Howard - street flour, of from 30 to 34½ per cent., while in England during the same period, the fall was only 24 per cent. Great, then, as was the fluctuation in England, it was not so great as the fluctuation in America, where no Corn-law was operating—where there was no commercial restriction—where there was every facility given for importation and for exportation, and with regard to which the fluctuation could not be attributed to the measure introduced by his right hon. Friend. Unless facts of a contrary nature could be brought forward—facts of which I can assure the House I am not aware, and in the existence of which I do not believe, I repeat, that it is not fair to ascribe the fluctuations which have taken place in the price of English wheat to the present Corn-laws. I have now replied to most of the objections which have been brought against the Corn-laws, but there are some others to which, sensible as I am of the great length at which I have already addressed the House, I yet feel it my duty to refer. One charge which has most industriously been brought against the late law was the effect which it produced upon the corn trade itself. It was said, and said, I acknowledge, with some degree of justice, that the effect of the law was to depreciate the character of the trade—to introduce a speculative and a gambling spirit into its working, and thus prevent men of high respectability and of large capital, from engaging themselves, or embarking their property in it. Certainly there was considerable force in that objection against the late measure ; but I contend that no man has a right to bring a similar charge, by anticipation, against the present law—a law which has not yet been fairly tried, and with regard to which our experience is so limited. That there were grievous disasters and great ruin in the corn trade last year, I am well aware, and I lament them ; but those disasters I contend, were attributable to the particular circumstances of the year itself, to the erroneous anticipations which had been formed of the harvest, and the great contrast which existed between the anticipations and the reality. To these causes, and not to the law, are those disasters to be attributed. There was an anticipation of a deficient harvest. It was uncertain whether, in a few weeks, the country was to be richer or poorer by three or four millions of quarters of wheat in point of quantity, and six or seven millions of money in point of value ? Such a doubt would necessarily lead to great speculation and that gambling spirit which seemed inherent in human nature, and which every varying contingency of human life, seemed to call into operation, was sure to be aroused by it, especially under the particular circumstances of last year, when men's hopes were stimulated from week to week—when anxiety and suspense were kept alive day after day—and when the decision of the question was only settled, when the corn actually came into the market. Indeed, it was only when the corn was actually in the market, that it was known or could be believed that the crop would turn out—or rather had turned out—an average harvest. This, to my mind, fully accounts for the speculation which existed. This put in motion all the capital which could be embarked in the corn trade, and gave to that trade a character of gambling, which, under ordinary circumstances, did not, to the same extent, belong to it. I repeat, that those disasters in the corn trade, many of which were occasioned by improvident speculations, were very much to be lamented, and I fear that it will take some time for the trade to recover its former stability ; but admitting this, I say, that it is unfair to impute to the present Corn-law the effects which it certainly did not cause, and which were naturally attributable to other causes. We have heard much, also, of the losses of the shipowners, and it has been said, that the sudden demand for corn from the continental into the English ports is unfavourable to the British shipowner. It is contended that the order sent by the merchant here to his agent on the continent is generally so sudden and unexpected that no arrangements to execute it were previously made, that accordingly the first vessel was taken which was found in port, and that very frequently that vessel was a foreigner. This, as far as it went, was an objection to the old law, but I deny that it is an objection which fairly attaches to the present law. Last year, the foreign importations had been foreseen, deliberate arrangements might have been made for the employment of English vessels, and there was no reason why the British shipowner should not have enjoyed his full share of the business of transport. But there had been another and a still greater objection made, as respects the trade of the country. We have heard much of the exchange of goods, but surely this is not the year in which the manufacturing interest can complain, in comparison with former years, of the exchange with other countries. There has been a great demand for foreign articles here. Fresh facilities have been given to their introduction—articles have been brought in, which before had been altogether prohibited. This has not been the case in other countries. I stated last year, that articles to no less an amount than 20,000,000*l.* had been affected by the reduction of the Custom duties, but when so large an addition was made to our means of importing, and none had been made to our means of export, it was unfair to urge against such a legislative settlement, as that of the present Corn-law the inconvenience of finding imports which had been experienced in former years, and which had, perhaps, been caused by the former state of the law. As to the currency, we all knew the inconvenience which had been caused by the late measure in deranging the money market. But the hon. Member for Wolverhampton told us the other night, that "This derangement did not continue under the present law." This admission is certainly not one of very great value, for it is one which cannot be denied by any man. At the same time, so much cannot be said of the motion of the hon. Gentleman. If that motion were agreed to, consequences the most serious would necessarily result by its violent effects on the currency. There is now a great drain of gold to America. During this year, three millions sterling have been sent thither. The country has been able to bear that loss, but this drain is likely to continue. Half our exports have been cut off, partly by the derangement of the American currency, and partly by the tariff of the last Session: and this drain of gold would be increased by the measure of the hon. Gentleman. Its tendency would be to bring into the English markets foreign and particularly American corn, which must be paid for in bullion. The state of the custom laws of America and of other countries is so hostile to our trade, that we should be compelled to pay for the flour and corn in bullion. A great inconvenience would be felt by the reduction of prices from the increased supply of foreign corn, and the contraction of the currency, and those evils which had been charged against the late Corn-law, might fairly be charged against the proposed measure of the hon. Gentleman. There is only one other point, on which I shall feel it necessary to trouble the House. That point had been a favorite subject of declamation; and it certainly was an important one—the influence of the Corn-law upon the revenue of the country. It was said by the opponents of the measure, that it gave to the foreign exporters what ought to have forced its way into the British Treasury. That complaint, I do not think, can be made against the present law; during the last year, it brought in the sum of 1,378,000*l.* to the treasury, exceeding by 800,000*l.* or 900,000*l.* the amount received under the former Corn-law; but I am prepared to show that it was an amount larger than would have been received under the measure which was proposed by the noble Lord opposite and her Majesty's late Government. And it was to be recollected, that that change had been proposed for the purposes of revenue. [Viscount *Howick*: No, not exclusively.] Not exclusively. There were, doubtless, other considerations relied on, but the main ground upon which it rested was the fiscal benefit to be derived from it. The noble Lord (Lord J. Russell) proposed a duty of 8*s.* upon wheat, but the duty which has been actually received under the present law amounted to 8*s*. 5*d*. per quarter. The noble Lord likewise proposed a duty of 3*s*. 4*d*. upon oats, but now we have received a duty of 6*s*. upon the average. The duty upon barley, in the scheme of the noble Lord, was 5*s*. The duty which had been obtained, had reached an average of 8*s*. 11*d*. per quarter. So that, assuming that the same quantity would have been entered for consumption under the noble Lord's bill as under the existing laws—and I do not think the noble Lord will contend that last year a greater number of quarters would have been entered than under the law as it stands—if the noble Lord's proposal had been carried, there would have been 50,000*l*. less paid for wheat; barley would have produced 10,000*l*. less; and oats would have paid 32,500*l*. less; or, on the whole, 92,500*l*. less would have been paid than under the law of my right hon. Friend. There is only one other point to which I will refer, and to that very briefly. The hon. Gentleman, the Member for Wolverhampton, congratulated the House, that during the last debate upon this subject there had been an abandonment of the worn-out arguments which formerly were used by hon. Members on this side of the House. The hon. Member said, that it was now universally admitted, and that it had been expressly laid down by my right hon. Friend at the head of the Government, that "price could not be secured by law." The hon. Member boasted of this confession, and applied it—as he fairly was entitled to do—to the purposes of the argument for which he was then contending. But presently he wanted to show the farmers how ill they had been used by my right hon. Friend; he then forgot what he had said just before; he forgot what he had just quoted from the speech of my right hon. Friend—and not more than five minutes by the clock, after he had quoted my right hon. Friend's former expression, he went on to say, that my right hon. Friend had promised to the farmer a price of from 54*s*. to 58*s*. per quarter. The two statements can not be reconciled. It is not for me to reconcile the discrepancy. It is a mater entirely between the hon. Gentleman and himself. [Mr. *Villiers* expressed dissent.] The hon. Gentleman seemed to deny the statement, but I am quite confident in my own recollection of what the hon. Gentleman said. [Mr. *Villiers*: I quoted *Hansard*.] At any rate, the hon. Gentleman could not quote both these statements from *Hansard*,—nor would he call into question the accuracy of the reports which every one admitted to be so ably done in that publication. It is, however, for the hon. Gentleman, and not for me, to reconcile the contradiction. I know well enough, in fact, that my right hon. Friend gave no such thing as a promise of a certain price. Indeed, there can be no such thing as an Act of Parliament price. If ever a promise of a certain price was given, it was in 1815; but under the law that was then passed the price fell to 42*s*. or 43*s*., and if a promise had then been given, the farmer would not have been again taken in by any promise of a definite price by an Act of Parliament, or given by the mouth of the minister. But it was not only in 1815, the farmer had had a second trial in 1828, and if a price was then promised to him, and he was again deceived, could the House believe that he would be imposed upon a third time, or that a Minister would again attempt to promise him a price. There was no such thing in the measure of last year, or in the speeches by which that measure was introduced, or accompanied as the promise of a price of any amount whatever. What I understood as the only promise which the law made was, that when prices were low protection should be increased, but I can safely assert, that there was no reference even to a pledge of securing any particular price. Singular as it might seem, if the hon. Gentleman would refer to the debates in 1815, he would find, that the Corn law of that day was recommended as a means of procuring cheapness and lowering prices. This was a singular historical fact, and I mention it in answer to the remark that a price was then promised to the farmer. In the speech of my noble Friend, Lord Ripon, in this House, and in the speech of Lord Liverpool in the House of Lords, it was put forth that the true way to have cheap corn was to give protection to the domestic produce of the country; and, though hon. Members opposite may think such an opinion antiquated, and though for my own part I cannot place much reliance upon such a system, yet I refer to it as an historical fact which clearly proves that, by the Corn bill of that day, no promise of a *minimum* price was given to the farmer. Hon. Gentlemen opposite may ridicule such aplan as antiquated and absurd, but I must remind them that it is an argument very popular in America at the present moment; and the Americans are a shrewd people. Though we may think ourselves much wiser on some points, yet it must be admitted that the Americans are a people of great sagacity, and they urged that the way to foster the productions of a country was to give all the protection possible to domestic industry. In conclusion, Sir, I thank the House for the great attention with which they have listened to me. I have endeavoured to show, that the motion of the hon. Gentleman is one which it is impossible to entertain, or to hold out the hope that we shall entertain it hereafter. Having replied to the motion of the hon. Gentleman, I have endeavoured to make it clear, that the law of my right hon. Friend — upon which, no doubt, during the course of the debate, comments will be freely made—has quite fulfilled the expectations which, in discussing it, he held out. If such be the case, it would, indeed, be an extraordinary and unfortunate proceeding if, without evidence, without any experience adequate to the importance of the question, and in the very teeth of that evidence which our limited experience does afford us, we consented to alter the law to which last Session we solemnly consented. If we agree to the motion of the hon. Gentleman, we shall be guilty of a great injustice to a large portion of the community in the first place, and hereafter to the whole community, as a necessary consequence of our injustice to a part; and beyond that injustice we shall convict ourselves of the grossest imbecility, and in the face of the world declare ourselves unworthy and incompetent to conduct the affairs of a great and mighty nation.

Mr. *Trelawney* said, that in delivering a few remarks on the question before the House—a question of the greatest magnitude, and more deeply interesting than any other (at the present time) to every class in the community—it was his desire to evince as little as possible of the spirit of a partisan; for he thought that every one who desired the establishment of some private right, and still more the success of a measure on which he considered the ultimate good of the state depended, ought especially to beware lest the interests of his cause were compromised by any indiscretion in the conduct of its advocate. He should first observe, that whilst he was a decided advocate for a repeal of the Corn-laws, he was not one of those who believed that such a measure would be a complete panacea for all the distress which was admitted to exist so generally in this country at the present time. Even with an unrestricted trade, we should still have to cope with all the evils resulting from the compression of population within narrow districts. Squalidity, pauperism, ignorance, and vice would still abound, unless more measures besides Corn-law repeal were devised by Government to amend the condition of the people. Of such measures he might mention a large measure of unsectarian education, a reduction of the expenses of Government, and a sweeping reform of that House, but it was not a part of his province to notice these more particularly at the present moment. He left them for the present for the consideration of the Government. Again he would assure the House that he was very far from holding out the language of intimidation; as such he should be very slow to utter predictions with a sinister view to their actual accomplishment, though he confessed he should not be deterred, by fear of this imputation, from deliberately pointing out the consequences which he believed must ensue if this law were pertinaciously maintained. He did not believe that the existence of the Corn-law for another five years would occasion rebellion. That it would occasion great distress, he had no doubt, but not such a distress as would be found too great a trial for the philosophy of the wealth-creating classes of this country. Whether or not that philosophy, and the endurance, and self-denial, it had inculcated, did not entitle the poor to more consideration on the part of Parliament, than they now obtained, might still be matter of serious meditation, and for this purpose he left it to her Majesty's Ministers. Further it was not his purpose to impute sinister motives to the landed interest. He did not accuse them of an indisposition to arrive at sound conclusions on this subject, but he rather lamented that, although possessed of good intentions, the bias of their habits, and the defects of their early education, had deprived them of the power of discerning their own true interests, and those of the country at large. He would, however, venture to suggest that if they meant to give way, the merit of concession would be in proportion to its promptness. When daily converts were made to the doctrines of free trade each new conversion was a rebuke to the tardiness of the unconvinced, besides the incalculable injury done to the resources of the country by a delay in the settlement of this question. So sensible were the farmers of this that many of them would readily accept an 8*s*. fixed duty as a compromise, were they certain that such a settlement could be placed on a permanent basis. In treating the subject before the House he should feel some apology due for reiterating the same arguments, exposing the same fallacies, and endeavouring to establish the same conclusions; but that he also could not help feeling that, so long as a particular abuse exists, its supporters—not its opponents—were responsible for the weariness created by the task of exposing it. After all, the question had made considerable progress. Time was when much stress was laid on the duties of legislators so to economise native produce as to prevent all chance of dependence on foreign countries for supply. They heard little more of this now. We most complacently import some three millions of quarters a year. Again, it was said low prices insured low wages. This fallacy was now rarely resorted to. When bread was dear and must be earned, it was probable that more persons would work, and for longer times, and generally more labour would be done out of what there was to do than when it was cheap, and could be easily obtained. But when more labourers worked, and more work was done, the price of labour fell; first, because what there was to do was sooner done; and, secondly, because the hands to do it were more numerous and work harder. Besides, what the labourers wanted was, not so much cheap bread as more employment; and this was the main advantage to be expected from a repeal of the Corn-law. It was said, "How can the landed interest bear their alleged peculiar burthens, without a law enhancing prices?" First, are there such burthens? secondly, if there be, would not the continuance of the Corn-law, by undermining the resources of the country, tend to impair their best market? namely, their own country and the demand of its native population. It was said, the existence of the Corn-law was essential to the employment of the working classes. This he denied. The effect of a repeal certainly might be to lower rents at first, but, unless it actually extinguished rent, no land would go out of cultivation, and, therefore, no fewer agricultural labourers would be employed. And, even, if some land were thrown out of cultivation, it must be considered that there would be increased calls for men in the manufacturing districts—gradually consuming that labour which might remain unengaged in agricultural districts. In considering this question, he assumed that the declared intent of the Corn-law, was not to enrich a class—but to employ and feed the multitude. Being indisposed to accuse landlords of maintaining the corn-law for the sole object of keeping up rents, he must conclude that their object was the higher one of securing food and occupation to the masses; an object which the law was demonstrably incapable of attaining. If the corn-law remained, the wealth and numbers of this country must rapidly decline. Hence rent would ultimately fall. The home market for corn would become less and less remunerative. The interest of the debt (and our revenue depended largely on duties on consumption) would be no longer attainable; a run for capital will ensue; and the complete ruin of the state must of necessity follow in its train. This was a question which demanded large, liberal, and far-sighted views. It was one of those questions in which the apparent preponderance of our immediate interests blinded us with respect to the real preponderance of our ultimate interests. If he were asked what class receive most detriment from the Corn-laws, he should say those who had been most misled on the subject—the farmers. They were interested, not in maintaining, but in repealing a law which defied calculation, and deprived them of all certainty or approach to it, as to the rent they could afford to give. It was this uncertainty which occasioned the dependence of their situation! They offered larger rents than they could afford to pay, feeling their way in the dark; and when they could not pay it, they were at the mercy of their landlords. The fluctuations in other countries were probably owing in part to the operation of our varying scale. If it was expected in a particular country and at a particular time, that we should afford a market for a certain amount of corn, and then it proved that we did not, the unexpected redundance in the disappointed country necessarily depressed the price. On the whole, the Corn-law tended to impair the wealth of the country, to drive capital into foreign speculations, and limit its productiveness at home. In so far as it so operated, it was calculated to injure all who possessed immoveable property. When moveable property leaves the country and certain fixed charges upon all property remain, the fixed property must bear them. But our fixed property would not bear the debt—and of our fixed property land was the most considerable. As wealth and population declined, rent would gradually collapse, and it was difficult to see how, in that case, national bankruptcy was to be averted. The distress of the people—the failures in the Excise and Customs—the unhealthy rise in the funds—all these amply proved our present declining state. The Corn-law said to the labourer—" For a certain definite quantum of that which is a prime article of human subsistence you shall give an amount of labour over and above that which you would have to give for the same quantum of the same article were you a resident of a country situate some twenty miles from your own, to a particular class at home who have such a preponderance in the councils of government as to enable them to make their will law" —that will being blindly determined to involve in the ruin of the preponderant class the ruin of every other class in the community. By degrees the labourer begins to understand this state of the case. How did he reason upon it? He said, " Is it better for me to endure this, or bear away my skill and strength—my only capital—to the nearest country in which equal laws exist?" He went. But how did this affect the capitalist? The capitalist said to himself, " I live in a country in which, besides the dearness of provisions, I cannot employ my capital advantageously, because foreign commerce is becoming daily more and more restricted. Every day that the Corn-law is unrepealed, the independence of this country on the part of foreigners increases." And what course did he take? He left his country, like the labourer. But how did all this affect land? First, the owner of land cannot so easily realize its value and fly to distant countries. Therefore on his devoted head must fall all the burthens of the country and all the ruinous consequences of this law. And now a few remarks upon the logical position of her Majesty's Ministers in reference to this question. Their language on the subject of free-trade was as broad and decided as it is possible to the mind of man to conceive. They seemed to think the emphasis with which they announce these principles a compensation for the niggardliness with which they applied them. "The language of free-trade," they said, " is the language of common sense, but the whole circumstances of the country prevent their application at the present moment." But were they not bound to enumerate *seriatim* what these special circumstances were? Ought they not to point out what it was which rendered that course impolitic in our case which, as a general rule, conduced to the grandeur and wealth of nations, and the knitting together of the various interests of human kind? Their grounds for refusing free-trade were all general. So long as they are thus vague and undetailed, it was obvious they could not be met. They evaded the issue. What was this but to beg the whole question of the consequences to the country of a repeal of the Corn-laws? Why did not Government specify their grounds of a refusal to defer to the wishes of the people? But this course Government and its supporters declined to take; and he must confess their indisposition to simplify the issue, did strike him as rather suspicious, and could not but induce the opinion that it was not that they were unconvinced of the ruinous effects of this bill, but that they are more convinced of the power of the landed interest, whom they dared not offend. These are all the remarks he thought it necessary to offer on the present occasion; but, in conclusion, he could not help expressing an anxious hope that her Majesty's Ministers would take courage and break the ties by which they were bound to the landed interest, and adopt such measures as would entitle then to the warm and cordial support of the Liberal side of the House. There is quite enough for them to do to furnish materials for a lasting reputation, such as was only attainable by the real benefactors of the country which gave them birth.

Mr. *Christopher* would briefly state the reasons which induced him to oppose this motion. He did not complain of a great part of the speech of the hon. Gentleman, the Member for Wolverhampton, or of the tone and temper with which he addressed the House; he only hoped that the moderation of the hon. Gentleman in this respect would be emulated by the Anti-Corn-law League out of doors, and that in their appeals at Drury-lane, or elsewhere, they would address themselves more to the reason and understanding, and less to the prejudices and passions of the people. The hon. Member for Wolverhampton had taken a fair and consistent course; still it was the first time he had asked the House to vote directly for a total repeal of the Corn-laws, and fairly called upon the House to affirm that principle: it was now for the House of Commons to say—it was for the same House of Commons that last Session, whilst it had revised the operation of the Corn-laws, enacting a considerably diminished amount of protection to agriculture, but, at the same time, affirming the principle of protection—it was for that House of Commons now to say, whether they would turn round upon the proposition they last year affirmed, and support the motion of the hon. Gentleman opposite. It was a motion which must meet with the opposition, as well of her Majesty's Government, as of the noble Lord, the leader of the opposition in that House, who was in favour of a fixed duty. But, to take the motion on its merits: were provisions so high in this country, or were the restrictions on the importation of foreign corn so great as to induce the House to come to the decision which was now asked for by the hon. Member for Wolverhampton? Since the Corn-law of last year had passed, there had been imported 2,620,000 quarters of foreign wheat, 524,000 cwt. of flour, and 38,890 quarters of foreign wheat, making together 2,654,000 quarters of wheat, besides flour; and there had also been imported 1,851,000 quarters of barley—a greater importation than had ever before taken place. The effect of that on the prospects of the farmer and on price was, that the latter were extremely low and the former filled with despair. In the quarter ending April, 1843, the average price of wheat all over England was 47*s.* a quarter, and in many of the agricultural districts at that moment very good wheat was to be had at 40*s.* the quarter. The farmer, therefore, was not well off. As to the wages of the labourer, a few facts were worth a thousand observations. If they compared the state of the agricultural labourers this year with last, they would find it much deteriorated. He spoke from an accurate knowledge of the facts. In the county which he represented, the wages of labourers, which were from 13*s.* 6*d.* to 15*s.* a week, had been reduced to 9*s.* or 10*s.* 6*d.* a week, and persons visiting that county, instead of finding young and old, able-bodied and infirm, in full employ, would discover the workhouses crowded with able-bodied paupers. The board of guardians, which he was in the habit of attending, had made a return to the Poor-law commissioners two years ago, showing that for a period of nearly six months there was not one married couple in the workhouse, whilst in the course of the last winter the workhouse was so filled with able-bodied paupers, that the board of guardians were obliged to hire additional accommodation. The object of those who sought the repeal of the Corn-laws was to cheapen the cost of production here, so as to enable the manufacturers of this country to compete with the manufacturers of other countries in their own markets, but the events of the past year must have sufficiently proved to hon. Gentlemen that they were mistaken in their supposition, for unless we obtained from foreign powers a perfect system of reciprocity, it would be perfectly impossible for the hon. Member for Wolverhampton or any other Gentleman opposite, with all their ingenuity, to prove that the condition of the manufacturing artizan would be materially improved by the alteration of the Corn-laws. An illustration was often drawn from the counties of England, and it was said, "What a great fallacy it would be for one county in England to impose a duty on the goods coming from another county." He was ready to join issue upon that point. Suppose that between Lincolnshire and the west riding of Yorkshire there was a perfectly free trade, and that Lincolnshire freely supplied Yorkshire with corn, whilst Yorkshire as freely sent her woollen goods to Lincolnshire, here was a perfect system of reciprocity and of free trade; but suppose that while Lincolnshire supplied Yorkshire with the surplus of her agricultural produce duty free, she was to lay a protecting duty upon the woollen goods coming from Yorkshire, would not such a duty be injurious to Yorkshire? This was an analogous case to the case of other countries, which laid a duty on the import of our goods. If we repealed the Corn-laws, therefore, we should not only render this country dependent upon foreign nations for food, but we should also be precluded from calling upon foreign countries to give greater facilities, and to open their markets more freely to our goods. Indeed, he did not entirely despair of seeing the time when the leading statesmen in that House and the country would find it necessary to revise our commercial tariff, and trust more to our native industry than to foreign markets for the consumption of our manufactures. Mr. Huskisson had been referred to as an authority for free trade, but he only advocated its adoption in order to induce other nations to follow our example. In his memorable speech on introducing the Reciprocity Bill, he declared that he was led to do so from the assurances of foreign countries that they would follow our example.

> "All that the Crown could do in such a case, would be to continue a restriction where another power declined to act upon a system of reciprocity, or to impose a duty upon vessels belonging to another power, in retaliation for a similar duty imposed by that power. He knew that it was intended by the king of Prussia to abate his retaliation when England relaxed her regulations. Indeed, he had the best authority, that of the Prussian minister in this country, for knowing that such was the intention. That minister had stated, in his note, the principle of his Prussian majesty to be, an admission, 'that reciprocal commercial restrictions were reciprocal nuisances, prejudicial to all nations having reciprocal interests, and particularly to those engaged in extensive commerce; and that the policy of Prussia was, to substitute, in the place of reciprocal prohibitions, reciprocal facilities." *

He would not ask the House whether those expectations had been realized? They had not. Mr. Huskisson himself had his misgivings, and in 1828, only five years afterwards, he found that the United States of America so far from following that example, had adopted a very different policy. Towards the end of his speech on moving for a copy of the American tariff Mr. Huskisson used this remarkable expression:—

> "With respect to the present tariff, he would say to Ministers, 'do not be hasty to determine: look at the various bearings of the question, with a view to your interests, your character, and your trade.' But if, after such deliberation, they were forced to adopt a course of retaliation, all he would enjoin them, was, that when once they had adopted the course, they should adhere to it with firmness. He would say, proceed with circumspection, but remember, there are limits to forbearance itself; because, as new interests grow up, the difficulties increased in the way of altering the system: so that they were bound in common policy to take care that the time should not be too long contracted, nor the difficulties allowed to grow too great, before they proceeded to legislate in the spirit which might be rendered necessary."

In 1841 Russia had imposed increased prohibitve duties; and the German League in spite of what had been said by the King of Prussia in 1823, had imposed prohibitive duties, amounting to 50 per cent., on many of our articles of manufacture. How, then, under these circumstances, were we to expect anything like reciprocity of free-trade, and at once to repeal the Corn-laws, and trust to foreign nations taking our manufactured goods in exchange for their corn? Unless we could obtain a free admission for our goods unto them, such a course would be madness. It was said the Corn-laws were upheld for the purpose of giving high rents to the landlords; but the fact was, that it was not from grain that landlords or farmers derived profit at all, but from the stock of cattle they were obliged to keep to manure the soil, that grew the corn, and if this soil was once thrown out of cultivation, then, indeed, we would be at the mercy of foreign nations. The hon. Member for Wolverhampton had said that there was a growing disposition, throughout the country, amongst the farmers themselves, to adopt the opinion that the Corn-laws ought to be repealed; but he denied that such was really the case. He could name a gentleman of great talent, to whom he was once opposed at an election, on the very ground of the Corn-laws, that gentleman being then a strong advocate for repeal—he meant Colonel Torrens—but what was now the opinion of Colonel Torrens, as expressed in some letters which he had recently published, addressed to the right hon. Baronet at the head of the Government. That gentleman was now convinced, and stated in those pamphlets, that the effect of such a measure would be ruinous to the agricultural interest of the country, and be productive of no good effect to the manufacturers; that it would limit labour and reduce the rate of wages; and, further,

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* Hansard, vol. ix. new series, p. 798.

that the necessities of the country did not require so extensive an alteration in the Corn-laws, because in years of average produce the produce of the United Kingdom was sufficient for home consumption. In fact it would be most unwise, it would be madness to come to such a decision as that recommended by the hon. Member for Wolverhampton. If any advantage could possibly result from it, it could be only a temporary stimulus to our foreign commerce, while it would almost annihilate our home trade. Whether this question were regarded in a political or commercial light, he was convinced that it would be most impolitic and unsafe to consent to any further alterations in the existing laws. He did not wish to trespass upon the indulgence of the House; in truth, he felt that it was a very difficult thing to find any new argument to advance upon a subject which had been already so frequently and so fully discussed. Considering, therefore, that the Corn-laws had undergone a complete revision so lately as last year, that the amount of protection to agriculture had been much diminished, that upon many articles of foreign produce there was little or no prohibitory duty, and that the practical effect of the changes made in the tariff and the Corn-laws last year had been to cause a larger importation of foreign corn and provisions than had been known in any corresponding length of time, and regarding the present low rate of prices, he was compelled to come to the conclusion that no further alterations ought now to be made; and he must, therefore, resist the motion of the hon. Member as far as lay in his power.

Mr. *Roebuck*: at that late hour of the night did not mean to address the House at any length; and what he had to say, he feared would be agreeable neither to one side nor the other. Though he meant to vote with that party which declared for free-trade, still what he had to address to them would please neither party; and he was sorry to see that any party matter should be introduced into such a topic; for he could not divest himself of the feeling, that where there was much of party there was also much of error. The hon. Gentleman who had just sat down, had unintentionally let out the views of his party on this subject; and in so saying he did not attribute to him the views he meant to ascribe to him, in any spirit of hostility; but it was to him clear, that the opinions which the hon. Member had expressed were influenced strongly by a feeling of that which he considered his own pecuniary interest. When he said this, it was not to be understood that he affirmed that those who attacked the Corn-laws were divested of the same feeling. If they were in the same position in which the country was placed in 1815, then what they ought to do was, to suppose themselves in the situation in which men were when the Corn-law was proposed—to see what was the principle on which it had been introduced and carried in both Houses. The landed interests at that time found themselves exposed to a series of influences to which they had not before been subjected. Looking forward, then, to their interests, they sought to maintain high rents, and they endeavoured to do this through the medium of high prices. The high prices they conceived could only be obtained by the exclusion of foreign corn. They, then, in pursuit of their interests, and having the power, established a monopoly in corn. That, then, was the interest of the land at that time. If they who were now discussing this subject could place themselves again back at that time, the argument of those opposed to monopoly—the argument of those in favour of free-trade would be, that the country was then free—that no vested interests had been formed—that there had been no application of capital in the furtherance of that monopoly, and therefore that the onus lay on their opponents to show what was the benefit to be derived to the community in favour of that change they were about to make. Now, what was the argument of the right hon. the Vice-President of the Board of Trade, and it was the only argument put forward in defence of monopoly? The argument of the right hon. Gentleman was this, that if they introduced foreign corn, if they brought it, as he said, in large quantities from America, they would lower the price of corn here, they would throw lands out of cultivation, and the effect would be to diminish the employment for labour. In 1815, such an argument as that would not have been used. The only argument then was, that it was to maintain high rents through the medium of high prices, or, to use the expression of the hon. Member for Kent, to maintain the landed aristocracy in their social position. They had yielded to the unwise suggestion, and now they passed from 1815 to 1843, and now it was stated that they ought not to alter the existing system, because interests had been created under it. It was said land would be thrown out of use, and persons out of employment, if they lowered rents—that poor soils would pay no rent; but it was not high prices they ought to look to, but profits; and they might have profit from a poor soil. Let them suppose they had a free-trade in corn—that would give a great demand for more manufactures. The corn would not be paid for, but by manufactures—if not directly, at least indirectly. It was a fallacy to say they must find gold for it, or that the gold would be sent out of the country. It would only be paid for by their labour. It was their manufactures that created the demand for labour, that labour, must be maintained, and a great increase in the demand for labour would supply the pecuniary loss to be expected from the importation of corn. The land in England had increased in value in proportion as their manufactures increased, and the decrease in their manufactures must be followed by a decrease in the value of land. He was not now throwing out this statement, as if he believed that a repeal of the Corn-law would be a panacea for all the evils under which the country was suffering. He did not believe, that a tithe of the evils existing arose from the Corn-law, but he did maintain that upon them rested a very serious responsibility; that at a time when distress held her cankering finger over all, when the life blood of the community was ebbing out, there was a deep responsibility upon them, who in the face of all this refused to make some experiment, who refused to make some sacrifice, in the attempt to ameliorate this misery. His hon. Friend did not say, that monopoly caused all the misery, but that a relaxtion of it would be some relief. Did they allow it would be a relief? Could they deny that it would afford a chance of relief, and on that chance he asked them whether they would refuse an inquiry, as to whether they ought to take off the monopoly? The great cry on the part of the landed interest now was, that the Members of the Government promised protection, and disregarded their promise. What did this teach the labouring man? To consider their professions of care for his welfare as frail and worthless as the protestations of the Ministers and many of their supporters were now looked upon by the agricultural body. The right hon. the President of the Board of Trade marshalled a formidable array of figures, and gave way to an official proneness to handle details; but the sole argument of his speech amounted to this, "if you repeal this law, we shall be ruined by the quantity of corn received from America." He was extremely sceptical as to this importation from America. But if a 1,000,000 of quarters (we have heard of a 1,000,000 before) was, according to the right hon. Gentleman's statement, to come down the Mississippi, was there no apprehension of receiving any by the way of the St. Lawrence? As to the expectation of a 4*s.* duty, it could never be collected, and we should be overwhelmed by one route as well as the other with corn which cost only 22*s.* a quarter. He should not then discuss the Canada Corn Bill. He should be prepared to prove that nothing so immoral was ever proposed by a government; it being, in fact, a government scheme for the encouragement of smuggling. But said the right hon. Gentleman, "you cannot rudely touch this system—the case of the landlord is like the case of the sinecurist." He was perfectly amazed to hear so cautious a person make such an admission. What! did the landlord, then, profit by a monopoly in corn, and give nothing in return to the country? They certainly did not treat the sinecurist as they were about to treat the landlord. To the former they gave compensation when they deprived him of his office. Would the right hon. Gentleman at once state, what he considered a fair compensation to the landholder for the monopoly which he enjoyed? If the right hon. Gentleman would do this, he was sure it would be a most economical arrangement for the country to pay down at once the sum fixed upon. But those gentlemen who supported this view declared, "we are not sinecurists, but benefactors to our country as employers of its labour." But did any man believe that a thousandth part of the agricultural labour of the country would cease if that law were abolished? He defied the calculations of any sane man (he did not mean such calculations as those on which the budget was formed) to show that a single labourer would be thrown out of employment. But it was not for him to prove that such would be a case. We had enormous misery around us, and on the opponents of the repeal of the Corn-laws lay the *onus* of proving that cheap bread would not be an advantage. If we had 10,000 quarters instead of 8,000 quarters of corn to divide amongst the millions, each man must get an additional supply. He did not believe that a labourer the less would be employed, or an acre be thrown out of cultivation, if we had free-trade in every trade—in everything. And if we had a repeal of the Corn-laws, every other monopoly must share the same fate. Let the manufacturing party understand that. They could not break down the monopoly of the landed interest, without that powerful body breaking down theirs. He remembered about ten years ago hearing the right hon. Gentleman, now at the head of the Government give in defence of the Corn-laws a sort of paraphrase of a speech made by a noble and learned Lord who, having traced taxation through all its devious paths, ended by saying, that the thing pursued us from the cradle to the grave. Now, the Corn-law League must take the argument of protection to manufactures out of the mouth of the right hon. Gentleman. Let not the League misunderstand the question. They could never get the people to support them, unless they called for free-trade in everything. And when I mention the League (continued the hon. and learned Gentleman), let me say a word as to the tone and temper in which we should endeavour to disseminate truth. The truth is best disseminated by calmness and forbearance—by no imputation of motives—and by acting on the belief that those who differ from you are actuated by motives as honest as those which influence your own conduct. [" Hear, hear."] I hear my friends cry " hear," but let any man differ from them but a hair breadth, and he runs a chance of being immediately consigned to perdition, and (if personal molestation were not unknown in our days) of sacrificing his life in the maintenance of his opinions. On the other hand, I see papers in the agricultural interest, charge hon. Members of this House with perambulating the country, and imitating in their conduct Robespierre, Marat, and Danton. Now, I hope no man in this House can be fairly said to be an imitator of Robespierre, and though om of es us may be foolish enough, I do trust that there is not a Marat amongst us. I do not now wish to use any flattering language in respect to the landed interest; but I am sure I speak the language of the community, when I say they are actuated by a high and generous feeling for the public interest ; and though they may be misled as to what is for their own interest, I do not think it is the part of a generous friend to represent them as the fiends they have been described. They are no more fiends than we are. We all pursue our own interest, and think the course which tallies with it most advantageous to the community. The best way to prove that we are sincere in promoting the public benefit is to be actuated by a calm, generous, and forbearing spirit, and not to cast imputations on motives when endeavouring to disseminate truths. I shall support the motion as a step towards free-trade, and as thus setting an example which must be beneficial to all mankind.

Debate adjourned.

House adjourned at half-past twelve o'clock.

HOUSE OF LORDS,

Wednesday, May 10, 1843.

MINUTES.] BILLS. *Private.*—1ª· Charles Hope's Naturalization ; Anderton Carrying Company.
2ª· Morris's or Wilkinson's Estate.

HOUSE OF COMMONS,

Wednesday, May 10, 1843.

MINUTES.] BILLS. *Private*—1°· Balfour's Estate.
Reported.—Maidstone Railway ; Glasgow and Three Mile House Road.

PETITIONS PRESENTED. By Mr. W. Mackinnon, from Derby, and two Metropolitan Districts, in favour of the Health of Towns Bill.—By Lord R. Grosvenor, from Chester, for Amending the Bankruptcy Act.—By Mr. Pusey, from Chelmsford, and other places, against the Canada Corn Bill.—By Mr. Hardy, from Oakenshaw, in favour of the Factories Bill ; and by Lord Clive, and Messrs. Greene, and Tufnell, from forty-four places, against the same.—By Dr. Bowring, Sir G. Grey, Lord C. Manners, Colonel Fox, Sir B. Hall, and Messrs. Hume, J. Ponsonby, Villiers, Cobden, Ricardo, Busfeild, Ward, S. Crawford, Wallace, B. Smith, Aglionby, Strutt, Brotherton, and Thornely, from an immense number of places, for the Total and Immediate Repeal of all Corn and Provision Laws.—From Belfast, Tralee, and Elphin, against the Irish Poor-law.—By Lord M. Hill, from the Western Division of Surrey, for a Fixed Duty on Corn.—From Wem, for further Limiting the Hours of Labour in Factories. — From Keswick, against Altering the Law relating to Lost Time.—From Ashby-de-la-Zouch, and seven other places, against the Union of the Sees of St. Asaph and Bangor.—From George Cobb, and Thomas Trotter, against the Players of Interludes Bill.—From Carrigeen, Killenaule, and Moyglass, for Alteration of Law relating to Landlord and

Tenant (Ireland).—From Dursyisland, for Exemption from County Cess (Ireland).—From Tydavnet, Waterford, and Bruff, for Repeal of the Union (Ireland).—From Bradford, for the Establishment of Home Colonies.—From John Dalton, for Exemption of Literary Institutions from all Taxes.—From Chichester, for Inquiry into the Medical Profession.—From Berriew and Suffolk, for Church Extension.

RAILROADS (IRELAND).] Sir *W. Barron* wished to ask the right hon. Baronet at the head of the Government whether it were the intention of Ministers to introduce any measure in the present Session to facilitate the undertaking of railroads in Ireland?

Sir *R. Peel* said, that inquiries had been directed and were still in progress, the object of which, however, was rather to facilitate the communication between England and Ireland than to aid in the construction of railways in the latter country.

Sir *W. Barron*: Am I to understand then, Sir, that there is not any measure under the consideration of the Government the object of which is to facilitate the making of railroads in Ireland—I mean any measure for that purpose founded on the reports on that subject made to the late Government?

Sir *R. Peel*: How far an improved communication with Ireland from this country may tend to facilitate the introduction of railroads in the former, I am not prepared to say. I have only to repeat, that the subject of communication between this country and Ireland with a view to its improvement is under the consideration of Government. If the question of the hon. Baronet refers to any advance of public money for the purpose of facilitating the formation of railroads in Ireland, I am not prepared to give him any answer now.

THE WINE-TRADE.—INTERVIEWS WITH MINISTERS.] Mr. *Turner* said, he held in his hand a letter which he had received from two gentlemen engaged in the wine-trade. It detailed the particulars of an interview with the right hon. Baronet (Sir R. Peel) and the Chancellor of the Exchequer, on the subject of the present state of the trade. It appeared from that letter, that the right hon. Baronet and the Chancellor of the Exchequer had declared themselves ready to accede to some proposition which would have the effect of somewhat relieving the trade with respect to the stock on hand. What he wished to ask of the right hon. Baronet was, how far that statement was correct?

Sir *R. Peel* must assume, from what the hon. Member said, that the communication was genuine, but under the circumstances he must say that its publication was unwarranted. It was true that he and his right hon. Friend the Chancellor of the Exchequer had had an interview with some gentlemen connected with the wine-trade, as they had had with deputations representing the interests of other commercial bodies. They had listened to the statements made in this case, but had not pledged themselves to anything except to the fact that they would give the subject their best consideration. Now, under such circumstances, he must say that the publication of what occurred at that interview was altogether unjustifiable; and still more so, when he and his right hon. Friend were represented as assenting to a particular proposition, respecting which they had only promised that they would give the subject their best consideration. It was greatly discouraging to Members of the Government, in consenting to interviews affecting particular interests, to have accounts of them prematurely laid before the public, and that in a manner which might lead to very erroneous conclusions respecting them.

CRUISERS ON THE AFRICAN COAST.] Sir *C. Napier* wished to know, as the right hon. Baronet had objected to laying on the Table a copy of the instructions sent to our cruisers on the African coast, what should be done in a supposed case:—For instance, an American and a British man-of-war are cruising in company on the coast of Africa; a very suspicious-looking sail heaves in sight and both vessels make towards her. It happens that the British man-of-war is a far better sailer than the American and comes up with the strange sail long before her; the stranger then hoists American colours. Now, he wished to know whether the British vessel would be bound to wait until the American came up?

Sir *R. Peel*: Sir, the House I am sure will agree with me, that it is a matter of great difficulty, if not of impossibility, for me, or for any one else holding the office I have the honour to fill, to come down here daily and without notice to answer off-hand questions put to me on matters of minute detail, not only in my own but in other departments of the Government. I assure the hon. and gallant Member that I have every disposition to give information on all matters on which it is sought, and where it can be given without detriment to the public service. In the present instance, I am not able to answer his hypothetical case, but let me add that it would be inconvenient to the public service to have the instructions to our cruisers on the coast of Africa made generally known.

Abolition of the Corn Laws—Adjourned Debate.] The Order of the Day for the resumption of the adjourned debate on the Abolition of the Corn-laws, was read.

Mr. *Miles* felt himself bound to follow the tone adopted by the hon. Member for Bath, which was one of great moderation, and he trusted it would be followed to the close of the debate. Notwithstanding all the attacks which had been made on the landed interest, from different quarters, he should confine himself to the ground taken by that hon. Member. The question now under discussion was one of the greatest importance; it was not one between this or that duty—between a sliding-scale or a fixed duty; it was a question of the expediency of a total repeal of all duties on corn. He should address himself to that question, although he despaired of throwing any new light on so exhausted a subject. The hon. Member for Wolverhampton was the able and consistent advocate of the abolition of those laws. The hon. Gentleman was a Member of a society which advocated free-trade principles; and what he should have done was to move a resolution to do away with all import duties, instead of a resolution to take into consideration the expediency of the abolition of the Corn-laws. The hon. and learned Member for Bath had, on the previous evening, while voting for the hon. Member's motion, advocated total repeal, but he had been rejoiced to hear the hon. and learned Member admit at the same time that he did not think that such repeal would be a panacea for the evils under which the country laboured. The hon. Member had said, that considering the wretched state of our population, and that repeal was called a remedy, he thought the House would be justified in taking it into consideration. Having heard such a statement, he had expected that the hon. and learned Member would proceed to show how the starving population would be benefited by repeal, but the hon. and learned Member had not done this, although not only the manufacturing but the agricultural population was in a state of deep distress. In considering the subject of the repeal of the Corn-laws, the question was, whether the abolition of those laws would give to the poorer classes of the community throughout the kingdom greater command of the comforts and necessaries of life. He would, in the course of his observations, endeavour to direct his arguments to that topic. He could assure the House, that dwelling, as he did, in an agricultural county, he was enabled to state, that although extreme distress had not as yet touched the farmers, it had begun seriously to affect the labourers, as the farmers, from the reduction of profits, were obliged greatly to curtail the number of persons in their employment. In the county with which he was connected there were hundreds of able, honest agricultural labourers, who would shortly have no refuge but the workhouse; and they would have had to resort to it long since, had it not been for the exertions of the resident country gentlemen. It then became a question, what prospect the manufacturing districts held out for the employment of these men, should they be left totally destitute by the removal of all protection from agriculture; as, even though such a change should not throw the land entirely out of cultivation, prices would be so deteriorated by foreign competition as to preclude the possibility of remunerating wages from the farmer. He had heard it denied, that a repeal of the Corn-laws would cause much land to be thrown out of cultivation, but it should be understood that the converting of arable into pasturage land would, although not actually throwing it out of cultivation, do so in as far as the employment of labour was concerned. The consequence would be, that great numbers would be thrown out of employment, and such it appeared to him would be the result of a repeal of the Corn-laws. The question then was, would the manufacturers be able to give them employment? Those who advocated the repeal of the Corn-laws, contended that that measure would open new markets for our produce, but if any person deliberately reflected at the treaties which had been entered into, and the tariffs that had been adopted by foreign countries, must see that their obvious aim and intention was gradually to exclude all our manufactures from foreign markets. The efforts we had already made had had no effect in causing them to relax their restrictions, and at the present time Russia, Portugal, and Brazil, had repudiated our advances. Even America, the great hope of the free-traders, had shown a decided inclination to restrictive measures. The fact was, that national interest was like individual interest, and every nation would do that which it thought best calculated for developing its internal resources. The hon. and learned Member for Bath had said, that the original promoters of the Corn-law were actuated by selfish motives. They had consented to a reduction of their protection to 20*s.*, when the price was 50*s.* a quarter, and surely such a step was no evidence of selfish motives. It was found that even at this rate of duty it was impossible to keep the foreign wheat out. This pretty clearly showed that it was not the tariff of this or of that country, but the demand and the means of supply that fixed the price of this and other articles of essential necessity. It was hardly fair to say, that the Corn-law of 1815 was passed by those who had selfish purposes to serve. The same accusation was made at the time against the Minister of that day, and he would, in answer to the imputation, say, as Mr. Robinson (now the Earl of Ripon) had then said, that he believed that no power on earth would tempt them to support the Corn-laws, if they believed those laws were an injury to the country. Foreign nations had taken advantage of the peace; they had gradually accumulated capital, which they had employed in manufactures, and they had protected their native industry by the imposition of protective duties. A perusal of the Germanic tariff would show how hopeless would be any attempt to force an increased amount of our goods into that country, and the Custom-house lists of France showed that that country had gradually been displacing our goods in foreign markets. The principle and staple articles of our commerce were cotton, linen, and woollen. The amount of our exports in these articles generally had declined, however, in the following proportion, taken in round numbers;—In the year 1838 they were 32,000,000*l.*; in 1839 they rose to 35,000,000*l.*; in 1840 they fell, and were but 34,000,000*l.* in amount, and in 1841 and 1842 they declined, until, in the latter year, they were not more than 30,600,890*l.* It was the opinion of the best informed persons in business that the stagnation in our commerce and manufactures had been occasioned by over-production of manufactured articles in preceding years. Some, however, of the manufacturers themselves began to consider more calmly and shrewdly the consequences of the repeal of the Corn-laws, so often called for by petitions to that House and by resolutions at Anti-Corn-law meetings. He held in his hand a report of a speech delivered by Mr. Muntz, the Member for Birmingham, on a Corn-law debate in that House, in which that hon. Member observed—

> "I see no use in ruining the farmer when there is no necessity for doing so. If the Legislature should agree to take off the duties altogether upon the import of foreign corn, without adopting other measures with which such a great change ought to be connected, I foresee that it will ruin one-half the farmers, half the landowners, and plunge the greater portion of those dependent upon these two classes for employment into difficulties and possibly poverty."

He had not heard from any side of that House any suggestion, that faith with the public creditor should not be kept. But suppose the Corn-law protection were taken off—suppose the doctrines of free-trade in all matters were to prevail,—he should like to know how the Chancellor of the Exchequer would be able to meet the expenses of the country. Why, every one knew that the interest of the national debt was the reason why it was impossible for the farmer of this country to compete with the foreign corn grower. He had, however, confidence in the right hon. Baronet—and that confidence was much increased by the declaration which he had made relative to the Corn-law during the present Session. That statement, in his opinion, had been much distorted by many who entertained strong political views, but, as he understood the right hon. Baronet, the Corn-law of last Session was not an isolated measure, but was part of a development of a great financial system which the right hon. Baronet was determined to maintain, whatever clamour might be raised against it. It was quite true that markets had since failed, and that a panic had prevailed throughout the agricultural districts. But he did not look merely to that law as the cause of the distress, but to the poverty and want of power of consumption that prevailed amongst the consuming classes. In conclusion, he would observe, that there was in that House a body of independent men, who, however they might differ in general politics, were determined, should any attack be made on protection to agriculture, one and all to combine, and say, "thus far shall ye go and no further." That body, whilst they did not forget their imperative duty to the country, would, at the same time, recollect the assertions they made on the hustings, and feel it to be their bounden duty firmly and fairly to represent the opinions of those constituents who had confided in them, and whose confidence had placed them there.

Mr. *H. G. Ward** had never heard a speech so difficult to answer, as that of the hon. Gentleman, who had just sat down;—not from the strength of his arguments, but from the singular want of connexion between his conclusions and his facts. He gave that hon. Gentleman credit for all the disinterestedness asserted by Mr. Robinson in 1815. He was sure, that neither he, nor the Gentlemen, with whom he acted, were influenced by any unworthy motives. He did not doubt their sincerity, when they said, that if the Corn-law were proved to them to be disadvantageous to the great mass of the population, they would consent to alter it; and he thought, that they placed the question upon a perfectly sound basis, when they admitted, that it must be argued with reference to the interests of the whole people, and not to those of a particular class. But still, he must ask, how could he hope, or how could any body else hope, to produce the slightest impression on the mind of the hon. Gentleman and his party, when the hon. Gentleman's own arguments had failed to convince himself? The hon. Gentleman had proved the case of those who were the advocates of free-trade, although he was utterly unconscious of having done so. This was the state of mind of the hon. Gentleman:—this the state of mind, of that independent party, which the hon. Gentleman led, last year, during the tariff panic, and in whose name he had given a solemn warning to the right hon. Gentleman at the head of the Government—towards whom they entertained the most friendly, and kindly, feelings, but with still more friendly, and more kindly, feelings for themselves, that he must adhere to the pledge, which he gave them at the commencement of the Session, and not presume to meddle further with the Corn-laws, if he desired a continuance of their support. The Government seemed to have accepted these terms, for they had heard from the right hon. Gentleman, the Vice-President of the Board of Trade, on the preceding night, that the Corn-law, which he expected to work so well for the community, had not yet had a fair trial, and that, at present, there was not the slightest chance of a change being made in it. He admitted this. He agreed in the opinion expressed by the right hon. Gentleman, that nothing practical was likely to follow from the motion now proposed. But he saw no reasons why it ought to be so; and he sought them in vain in the Member for Somerset's speech. He had asked indeed, what they were to do with the national debt, if the Corn-law were repealed? His answer to this was a simple one. He, and those, who thought with him, had not the slightest affection for the sponge, as the hon. Member called it. They believed, that the public taxes would be paid more easily—that the public revenue would be much larger, and that men would contribute to it more willingly, if they were not compelled to pay private taxes for the benefit of a particular class. What was the state of the revenue, with the existing Corn-law? The deficiency in the Customs and Excise was admitted, with great candour, by the Chancellor of the Exchequer, to be 700,000*l.* in the Customs, and 1,200,000*l.* in the Excise. That was a deficiency, which, he believed, would be got rid of if the people were in the enjoyment of more comforts; but those comforts depended upon the preservation, and enlargement of their trade. The hon. Member for Somerset, indeed, has stated to them, that what they had done last Session, had been fruitless, and that all their advances towards a better system of trade would prove unavailing, from the determination of the continental states to encourage their own manufactures. Yes, and he would tell them why. They had begun at the wrong end. They were twenty years too late. There was a time, when they had the trade of Europe in their hands. It was in 1815. They might have forestalled, then, the interests rising up against them on the continent. They might have avoided meeting with rival interests at all; and this was the proper conclusion to draw from the hon. Gentleman's facts. It was perfectly true that they had not only lost the whole of the trade within the limits of the Zollverein, but he believed, if they went on as they had done hitherto, they might be beaten out of the markets of America by the cottons, and woollens, of Germany. But what was the cause of all this? Their refusal to deal with the Germans on fair terms. Their refusal to take from them that produce, which they were willing to give in exchange for British manufactures. In 1815, the preponderating influence in Germany, as in this country, was the agricultural interest. But when England excluded the produce of German agriculture from her shores, she forced Germany to manufacture for herself; and now, they had no right to complain of the high duties, which the Germans imposed upon their manufactures. After the Corn-law of last year, what right had they to criticise the tariffs of other countries? That Corn-law was just as exclusive, as the law that preceded it, in its practical rejection of German corn, which they never could admit into the English market, under the present system of duties, except in cases of absolute necessity. This was the act of the English agriculturists; and, after that, what right had they to complain that British cotton was excluded from the territories of the Zollverein? He must now, however, address himself to the speech of the right hon. Gentleman, who had spoken on the preceding night, and who, he hoped, was not leaving the House, for he could not afford to lose his argument, and did not like to speak of any person behind his back. The right hon. Gentleman had told them, in terms which he little expected, that, even if it were possible to alter the Corn-law, it would not be expedient to do so; for that the Corn-law was a sort of contract between the Government, and the people of this country, and that it would be a breach of faith to touch it. Yet the right hon. Gentleman, who said this, must have pretty well recollected, that they, (on the Opposition side of the House) had protested against this law in every stage, and that, out of doors, it was reprobated with an almost singular unanimity. It was reprobated alike by those, who thought that it did too little, and by those who thought that it did too much. The right hon. Gentleman, however, called this a contract, and assured them that all their efforts to repeal the law, this year, would be vain. He had no doubt of it, when he saw the tone, and temper, of those, with whom the decision, unhappily, rested; and so convinced was he of the impossibility of arriving at any immediate result, that, if he had not a duty to perform to those, who sent him there, and if he did not feel that it was neither honest, nor honourable, in a public man, who entertained strong opinions upon a great question, to refrain from expressing them, because he knew that he was in a minority, he should willingly have refrained from obtruding his sentiments on the House. But a minority had no other means of enforcing the truth, and of ultimately carrying its principles out, except by discussing them. They had many proofs of this in the history of the country; and even the bench opposite bore testimony to the victories, that might be accomplished by a minority, if they only persevered in discussing a question, and if they were in the right. Time, and to be right, were the two things essential to success. Had not the right hon. Baronet, (Sir R. Peel) for twenty years of his public life, been opposed to the repeal of the Test Act, and yet he saw it carried? He had even been himself the means of carrying Catholic Emancipation, to which he had been equally opposed; and he had, as soon as it became the law, adopted the Reform Bill as the settlement of a great question, with which it would be imprudent for any party to interfere. There was one more great reform still to be made—the repeal of the Corn-laws. They, who had supported other questions as a minority, and had eventually seen them triumph, now supported that. They had the same opponents,—the same conviction that they were themselves in the right;—and the result was simply a question of time. Five years hence, they would see the right hon. Gentleman opposite, carrying the question with, or without, the assistance of that independent body of Members, of whom the Member for Somerset was the spokesman; or the right hon. Gentleman himself would see the measure carried, when driven from the benches opposite by a power in the country superior to his own. The Vice-president of the Board of Trade, indeed, had said that a repeal of the Corn-law would be either a breach of faith, or a proof of gross imbecility on the part of the Government. There was, however, he could tell the right hon. Gentleman, an imbecility of a much worse description. It was the imbecility of a Government persevering in a wrong course, when it knew itself to be in the wrong. And the right hon. Gentleman did know that he was wrong. He could prove out of the right hon. Gentleman's own writings, that he must know what he was doing to be wrong. Why, then, did the right hon. Gentleman, on the preceding night, after the opinions, which he had deliberately expressed elsewhere, seek to mistify the question, by asking whether the landlords were to lose their protection, and the manufacturers to maintain theirs? The right hon. Gentleman knew that the manufacturers did not expect any such thing. They attacked the Corn-law because it was the root of all protection in this country; for the class to which the hon. Member for Somerset belonged, would become the best free traders in the world, if they once got the principle of free trade applied to themselves. The advocates of free trade denounced the principle of protection altogether, when they asked for a repeal of the Corn-law; and it was no answer to them, to talk, as the Vice-president of the Board of Trade had done, of the cheapness of the necessaries of life at the present moment, as a reason why there should be no present change; or to prove this position, which nobody disputed, by comparing the prices of 1835 and 1843. Why did the right hon. Gentleman pass over the frightful interval, that occurred between these periods? It was the fruit of that system, in which he was resolved to persevere; for the system produced uncertainty,—and uncertainty a high price of food,—and a high price of food, commercial depression—for the more a man paid for food, the less he could pay for any thing else. The extent of these fluctuations was proved by Mr. Wilson, in a very remarkable pamphlet. He stated, that:—

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* From a corrected report.

"In 1834, 1835, and 1836, the whole cost of wheat to the community, calculating the consumption at sixteen millions of quarters annually, at the average price of each year, was

1834	£36,933,333.
1835	31,400,000.
1836	38,800,000.
Total	£107,133,333.

While in three following years, by the same calculation, the cost was—

1837	£44,666,666.
1838	51,666,666.
1839	56,533,333.
Total	£152,866,665.

Showing a difference, in the cost of wheat alone, of upwards of forty-five millions, during the latter three years, as compared with the former, which sum must, necessarily, have been abstracted from the channels of expenditure, in which it had previously flowed, and, by diminishing the demand for all other articles to the same amount, at once embarrassed, and curtailed, Commerce, and Manufactures, and diminished the revenue derivable therefrom."

The right hon. Gentleman had also said, that the condition of the people was better now, than it had been sixty years ago. In some respects it was so, but not in all. Arthur Young had given, in 1801, the amount of necessaries, which 5*s.* a week enabled a labourer to buy, before the war; and they were three times the amount, which the wages now paid to any labourer would command. He said, in his "Annals of Agriculture," that there was a person now living in the vicinity of Bury, Suffolk, who, when he laboured for 5*s.* a week, could purchase with that sum a bushel of wheat, a bushel of malt, a pound of butter, a pound of cheese, and a pennyworth of tobacco; while the same articles in 1801, would have cost him 1*l.* 6*s.* 9*d.* This was the real measure of the remuneration of labour;—not the money wages, which the hon. Member for Somerset had quoted, but the amount of necessaries which the money would command. The hon. Member for Somersetshire began his speech that night, by saying the distress had not touched the farmer yet, but had reached the agricultural labourer. He went further. He would maintain that it had touched the farmer, and hon. Gentlemen opposite would find what he said was true. They would feel the truth of it when they came to collect their Lady-day rents, which would be paid out of capital, in all the midland counties, if paid at all. What did this prove, but that the Corn-law was as injurious to the agricultural classes as it was to every other class? And that was exactly his objection to the system, namely, that it deceived everybody, and injured everybody, in turn. It was a perfect Montagne Russe of calamities—a constant succession of ups and downs—and it was a poor consolation to those who suffered by it, to know that, by a sort of retributive justice, others were sure to suffer like themselves. The Corn-law was good neither for the farmer nor for the labourer, nor for the landlord; and it was utterly ruinous to trade. The Vice President of the Board of Trade did not allude, last night, to the subject of the revenue, yet when he (Mr. Ward) recollected that 77 per cent of our taxation was derived from consumption, and that consequently, the productiveness of the Excise and Customs was the measure of the remuneration for labour paid to the people, he thought the right hon. Gentleman might, in the course of his discursive speech, have favoured the House with some remarks on this part of the subject. But it seemed to have been the right hon. Gentleman's object to evade the discussion of those great principles, which had been so ably laid down in the masterly speech of his hon. Friend the Member for Wolverhampton. Indeed, the right hon. Gentleman's speech of last night reminded him of a remark, that had been made respecting *Blackstone's Commentaries*, when the excellent principles laid down in the book, were thought to offer a singular contrast to the conduct of Sir William Blackstone, as Attorney-general. "If you want to know what the laws are, consult Sir William's book; but, if you want to be informed as to the best way of evading them, consult Sir William himself." The position of the Vice-president of the Board of Trade was precisely similar. If you want to know what the principles are that ought to guide our commercial policy, look at the right hon. Gentleman's article in the "*Foreign and Colonial Review*;" but, if you wish to know how these great principles may be reduced to a question of miserable expediency, for the purpose of conciliating political friends, look at the speech delivered by the right hon. Gentleman last night. No one admired the talents of the right hon. Gentleman more than he did; and no man regretted more to see those talents abused. To return, however, to his principle, that the Corn-law had deceived every one, and served no one. And here, he might be allowed to say in his own vindication, that he could have no personal motive for depreciating the value of land, for all that he and his children had to look forward to, was derived from it. He might be wrong in the conclusions to which he came, but he had certainly every inducement to wish to be in the right. The Vice-president of the Board of Trade had denied that price had ever been, or ought to be, or could be, the object of a Corn-law. Nobody, he said, pretended to fix prices. It might be so with the right hon. Gentleman and a few others equally well informed; but, with the agriculturists in general the belief was, that in fixing the price below which foreign corn was excluded, the Legislature fixed the price which the home-grower was to have. The Corn-law of 1815 was founded upon the supposition that you could fix price. The report of the committee of 1814 proved it; for it distinctly stated, that the committee had considered the subject referred to it under three heads:—

> "1st—As it related to the then recent extension and improvement of agriculture: 2dly—As to the then present expense of cultivation, including the rent: and, 3dly—the price necessary to remunerate tha grower."

The whole evidence taken before the committee turned upon a price. According to Mr. Jacob wheat could not be grown at a profit to the farmer if the price obtained for it was less than 80*s.* a quarter, and he proposed a duty of 38*s.* per quarter, as the very lowest amount of protection with which the English agriculturist could be safe. Mr. Lake, of Kent, estimated the loss upon his own farm at 7*s.* 6*d.* per acre, with wheat at 84*s.*, and barley at 32*s.* Mr. Driver fixed his price as high as 5*l.* a quarter. Upon such calculations as these it was that the Corn-law of 1815 was founded. That law held out expectations to the farmer that he would obtain at least 80*s.* a quarter for his wheat. The consequence was a great stimulus to the production of wheat, and the competition to which this gave rise, brought wheat down in the following year to 53*s.* 7*d.* Prosperity (as it was called) returned in 1817; but only to be followed by the crash of 1822, when wheat in August was at 42*s.* They were now running round in the same vicious circle with a certainty of the same results. The Corn-law of 1815, however, Government had never dared to enforce in its full extent. Indeed the admission of foreign corn in 1825, in 1826, and in 1827, was a virtual abrogation of the law; and this led in 1828 to a law being passed, with the assent of the agriculturists themselves, that admitted, in their opinion, of being regularly enforced. The object of that law was in principle the same as the object of the law of 1815, namely, to secure the farmer against the decline of corn below a certain price. The law aimed at maintaining the price of wheat between 65*s*. and 72*s*., and at guaranteeing the consumer at the same time against a price much exceeding 72*s*. Neither of these objects was attained by it. The average price during the first five years after the passing of the Corn-law of 1828 was 61*s*. 2*d*.; and the imports having amounted to 5,725,221 quarters, the foreigners to this extent shared in the advantages of this high price. From 1833 to 1837 the prices ranged from 36*s*. to 54*s*., and this was a period designated as one of great agricultural distress, although the monopoly of the home market was complete. And what, he would ask, was it that thus converted the bounty of Providence into a curse but the miserable cobbling and tinkering of man? Agriculture was a trade, and it must not be supposed that it could be governed by any other principles, than those, which governed all trades. But the law threw new elements of uncertainty into it. It regulated the imports of the country by a periodical panic, not by its well ascertained, and well understood, wants. There was no steady demand—no regular supply—and corn, as a necessary consequence, when wanted, was not obtained on the most advantageous terms. If landlords were honest, they ought to apply the same rule to their tenants as to themselves. If the sliding-scale was good when applied to imports, it ought to be applied to rents likewise. Bad crops, and high prices, prevailed from 1837 to 1842. During four years, eight millions and a half of quarters of corn were imported, and two millions and a half of cwts. of flour,—stripping the farmer of his expected gain, yet always coming too late to save the manufacturing population from an amount of suffering without a parallel in the history of the world. The new Corn-law, passed last year, was open to precisely the same objections as the Corn-laws, which had preceded it. It was equally effectual as a prohibition against importation under ordinary circumstances. It was liable to the same uncertainty, and the interference with the operations of trade was just the same. The 8*s*. duty would not have been realised last year, but for the accident that the harvest came a month sooner than usual. Who gained by this system? Nobody. It was for all classes a calamitous mistake. The labourers were losers by it. Of that he wanted no better evidence than what had fallen from the two hon. Gentlemen opposite, the Members for Lincolnshire, and Somersetshire, who agreed in stating that farming wages had been greatly reduced. To the landlord it was worthless, for it never could permanently raise his rents by maintaining war prices in time of peace; and to the tenant it was useless as a protection, for it destroyed his market, and by involving the people in distress, occasioned that fall of prices, which by some had been attributed to the tariff. It was admitted by every body now, that the importation of 4,867 head of foreign cattle, which was all that had come in, up to January last, would not have had the slightest effect upon prices, in ordinary times. He had said, in the discussions on the tariff, last year, that the cattle had yet to be bred, that could supply the English market upon a large scale. It was the state of Manchester, Sheffield, and Bolton, that was the real cause of the fall in the value of Scotch and Irish stock. But how long was this system of continual mistakes to go on? How long would it be, before the landlords opened their eyes to their real interests?—their own prosperity was linked with that of every other class. The greater the extent, the variety, the profit, of every description of enterprise, the greater their certainty of gain. No man could succeed in any branch of industry in this country, without paying tribute to the owner of the soil. Instead of Corn-laws, let them trust to the mind, the capital, the enterprise, which were struggling to enlarge the boundaries of the community, to which they belonged. But the first step to improvement of any kind, was, to secure the cheapness and abundance of the necessaries of life. If they did not do that, they struck at the root of every improvement. The law, which, at a particular time, made bread scarce and dear, produced effects of the worst kind. It produced an impression of a most mischievous nature on the public mind. It gave rise to a belief that all, there, were influenced by selfish motives. That belief already existed to a melancholy extent amongst the people, and its prevalence was, perhaps, one of the very worst consequences, to which the Corn-laws had given rise. Indeed he was not prepared to say, that the moral effects of the Corn-laws were not the most fatal legacy, that any law could bequeath. Yet, how could they expect that the people should feel confidence or respect for their legislation, when they saw the inattention with which the humblest petitions and the strongest facts were received? He had presented, that night, a petition from Sheffield, signed by 16,500 adult males, of every class, profession, and opinion. What did it state?

> "That the petitioners had suffered greatly from the interference of the Legislature with their food, and their work.—That their trade was upon the verge of ruin;—the health of thousands injured by insufficient food;—their homes without furniture,—their wives and children without clothing,—and great numbers reduced to the condition of paupers."

Were these facts denied? Not one of them! And how were they met? Why, the hon. Member for Somerset told them, that he was sorry for them, and would consent to some change in the Corn-laws, when he was convinced! He wished the hon. Member could go himself, and wheel a barrow twenty miles a day for a week or two, with 6*s*. to take home to his wife and children at the end, and he would see the inutility of his barren sympathy, and learn to look at the question from a very different point of view. The Vice-president of the Board of Trade, too, had said, last night, that he should regard it as a national calamity, if the 600,000 quarters of corn that might be bought at New Orleans for 22*s*. per quarter were to come in. He (Mr. Ward) held in his hand a letter, just received by one of the leading firms of Sheffield from the United States, which furnished the best comment upon such a remark. It said—

> "I do not know what encouragement I can send you, as regards the prospects for next season's orders. This country is scarce of goods, but unfortunately the farmers have not the means to buy, having no market for their produce. Flour of the best description is selling in the West, at 9*s*. 6*d*. to 11*s*. 6*d*. per barrel of 196 lbs. I could have plenty of this for your goods, if the British Government would only allow us to send it to you. If they do not very soon, I see they will manufacture all the hardware here, and do without England altogether."

How many hands would not such an importation put into motion? How many mouths would it not feed? It was a circle, that was perpetually spreading, beginning with this single act;—for the man, who inducing the parents to plunge into that had food, bought clothes, and, in buying them, gave work to men, now unemployed, and starving, like himself. The national calamity was, that the law looked to the price of corn, as the sole barometer of national welfare. This it was, that led to the destruction of such towns as Sheffield and Birmingham, and to the demoralization of the great mass of the population. And here he would read a passage from Dr. Arnold, a great man prematurely lost to England. The passage was peculiarly applicable to the state of things, which he was attempting to describe. Dr. Arnold was speaking on a subject, that bore considerable analogy to our Corn-laws — the usurpation of the public lands by the patricians of Rome; and he said,—

> "It has been well observed, that long periods of general suffering make far less impression on our minds, than the short, sharp struggle, in which a few distinguished individuals perish. Not, that we can over-estimate the horror, and guilt, of times of open blood-shedding; but we are much too patient of the greater misery, and greater sin, of periods of quiet, legalised oppression;—of that most deadly of all evils, when Law, and even Religion herself, are false to their divine origin, and their voice is no longer the voice of God, but of his enemy. No pen can record, no volume can contain, the details of the daily, and hourly, suffering of a whole people, endured, without intermission, from the cradle to the grave. The mind itself can scarcely comprehend the wide range of the mischief. How constant poverty, and insult long endured as the natural portion of a degraded caste, bear with them to the sufferers something yet worse than pain, whether of the body, or the feelings; how they dull the understanding, and poison the morals; how ignorance, and ill-treatment, are the parents of universal suspicion; how they, whose condition denies them all noble enjoyments, and to whom looking forward, is only despair, plunge themselves, with a brute's recklessness, into the grossest sensual pleasures."

What a picture! yet how true, and how applicable to ourselves! Here, as in Rome, Law, and Religion, had become false to their divine origin. And who could exaggerate the consequences of this "quiet, legalised, oppression," during the last four years—the sin and suffering that it had caused—the extent, to which the understanding, and morals, of the people had been affected by it—the way, in which it had pressed upon them from the cradle to the grave, inflicting upon the children that precocious toil, which the Children's Employment Commission had exposed, and gross sensuality, which Dr. Arnold truly called the worst fruit of despair? He had, himself, that evening, presented a petition from the handloom weavers of Cumberworth. In it, they said that they would submit with perfect resignation to their sufferings, if they were inflicted by Providence; but they were the work of man; and were to be perpetuated—

> "In order that certain Members of your honourable House, and their out-door supporters, may revel on double rents, and corrupt churchmen receive a higher value for their tithe."

That feeling pervaded a great mass of the people, and he (Mr. Ward) would beg them not to disguise it from themselves. The petitioners proceeded thus:—

> "Your petitioners ask not to be fed upon charity; they care nothing about poor-laws, or ten hours' bills, when they cannot get one hour's work. They want bread — untaxed bread—and the means of earning it, without the interference of a selfish legislation."

And the people did right to speak out, and say what they thought of the Corn-laws, when they saw the way in which their petitions were received. To suppose that a mere assurance of barren sympathy would satisfy men, who were grievously suffering, and grossly wronged, was to suppose that which was perfectly impossible, because contrary to human nature. What was the case of Sheffield? Rates were 7*s.* in the pound on the rack-rent. There were 4,000 houses uninhabited, where there was not one, six years ago. Fifty-two shops were vacant in eight of the principal streets;—ten in the High-street alone, where there has not been one vacant for the last ten years. 12,000 individuals were reduced to pauperism, and receiving parish relief. 12,000 more were just one stage above pauperism, able to keep themselves off the rates by working two or three days in the week, the trades having sacrificed 24,000*l.* in the last six years in the vain attempt to retain their independence of parish relief. Auctions of furniture had become so frequent among the middle classes, that it was almost impossible to effect sales; and a remarkable proof of this was afforded the other day, when a quantity of furniture was carted to Halifax, because it was found impracticable to effect a sale at Sheffield. People who formerly occupied houses of 9*l.* a-year, had gone down to houses of 4*l.*, or were huddling together, three or four families in one miserable room, of which they clubbed to pay the rent. A whole generation was growing up without the slightest tincture of education, for the parents would not send their children to school in rags. Some families had kept back one suit, which was worn, in turn—a lingering reminiscence of that decent pride which he (Mr. Ward) recollected as the most remarkable characteristic of the town. The firm of Rodgers, of Sheffield, must be known by name to most of those, whom he addressed. It was a firm of European celebrity. That firm, during the last month, had dismissed 100 men. It had been the last to feel the general distress, but it felt it now. He (Mr. Ward) had been assured by those intimately connected with the town and its manufactures, that the ablest artisans were losing that fineness of touch, and delicacy of manipulation, on which their excellence as workmen depended, in consequence of the coarser labour to which they were compelled to apply themselves for subsistence. The people were to be seen going about in wooden shoes and ragged garments; and an humble, haggard look, had become the characteristic of a population, remarkable, when first he knew it, for its intelligence and independence. Yet, amidst this intensity of unmerited suffering—all to be traced to the Corn-laws, as they believed, which stood, like a wall of brass, between Sheffield and its food, and work — the people had manifested no open violence, and as little of harshness in their complaints, as could have been expected under such fearful privations. The right hon. Baronet opposite, the Secretary for the Home Department, was probably aware of what had just occurred there. The Poor-law guardians, who had a most painful duty to fulfil, for they stood between the paupers and the rate-payers, who were fast becoming paupers themselves, had thought it necessary to impose additional labour as the condition of relief, until the task had been impossible to fulfil. A number of fathers of families were, in consequence, struck off the parish books, because they could not perform the work set them. These paupers, men formerly rate-payers themselves, convened a public meeting in Paradise-square, and he had been assured that it presented the most melancholy spectacle that it was possible to imagine. 500 of these unfortunate men, who had been reduced to become applicants for parish relief, came in their rags to the meeting, to appeal against the decision of the guardians, and to obtain some modification of the rules, which they had laid down. There were many amongst them, who, three, or four, years ago, had been earning 30*s*., 40*s*., and 50*s*. a week, and whose talent was the admiration of Europe. The result of this meeting was creditable, in the highest degree, to the good sense of the town. In the first moment of irritation, an angry resolution against the guardians was proposed, but it was reconsidered and rescinded, and a committee of six gentlemen, and six working men, was appointed to consider the case of the unhappy persons who had applied for relief. The result was, that they were restored to the pay list, and allowed to earn their miserable pittance on more reasonable terms. He would appeal to the Secretary for the Home Department to say, whether the demeanour of these men was not such as to entitle them to the deepest sympathy? [Sir *James Graham*, " Hear."] Their proceedings were noticed in the following terms, by one of the Sheffield newspapers:—

> " Never was a more pitiable sight witnessed in Sheffield, than the meeting in Paradise-square, on Wednesday last. Who ever heard before of paupers convening a meeting to state their grievances, and ask the aid of the rate-payers? From 400 to 500 men, most of them in the prime of life, and many of them husbands, and fathers of families, assembled to say, that they had reduced themselves quietly to the starvation point, beyond which they could not go."

He could not conceive anything more characteristic of that sense of order which distinguished the English people, than the manner in which this meeting had passed off; but let not hon. Members expect this to last. These men had still some hope; but what would be the consequence of reducing them to despair? If any proof were wanted of the total incompatibility of the Corn-law and Poor-law, they had it here. It was impossible to work the two together. They could not continue long to keep the population of a large town in such a state of wretchedness as that which he had described, and yet expect them to submit to their workhouse diet, while they could say, and prove, that it was an Act of Parliament that stood between them, and their work. The two measures were founded on contradictory principles, and though he had given his support to the right hon. Gentleman the Secretary for the Home Department, in maintaining the Poor-law, yet no one could avoid seeing that a Government, which upheld the Corn-laws, and declared that it would be a breach of contract with their supporters to make any alteration in them, while it insisted also on keeping up the Poor-law, stood in a very different position from a Government, which professed its willingness to make a fair and equitable settlement of the Corn-law. It would be strange if all the lessons of experience were thrown away on hon. Gentlemen opposite. Could they not anticipate that what had happened in Germany and France, would happen elsewhere—that we should rear up manufactures in other states—that we should force the Americans into competition with us, and teach them to do without us? There were some articles of manufacture. in which they competed with us already, They met us in the neutral markets of Brazil, and South America, with success; and, if we persevered in the present system we should force their industry into a false channel, as we forced that of Prussia in 1815. That was his reason for supporting the present motion. He went to the full extent of the principle, which his hon. Friend the Member for Wolverhampton had laid down. He should tell the noble Lord the Member for the City of London, if he were present, that he was just as much opposed to a fixed duty as to a sliding-scale. Other nations were rapidly learning to do without us. Nothing could arrest the disease which was destroying our commerce, but the most perfect freedom of trade, beginning with that which constituted the first necessary of life. He wished to go to the root of the evil at once. That was the wisest plan. As to the fixed duty, where was the party that supported it now? It might have been successful as a compromise three years ago. He would, himself, have accepted it then;—but, as he had told the noble Lord the Secretary for the Colonies, last year, if a great party refused a good bargain when offered to them the people always gained by it in the end, and they would do so now. There was now no party for a fixed duty. Some of the leading Whigs might advocate it, but there was no party for it in or out of the House. Any one who went to the large towns to gather the sentiments of the people would see that all of them demanded the establishment of the principles of free-trade—the total abolition of protection, whether for their own manufactures, or those of the land. They saw no hope of restoring the prosperity of the country without it, and they never would take anything less. Hon. Gentlemen opposite were not aware of the extent to which that feeling went. The newspapers, which were the organs of their opinions, refused to take the unpleasant and thankless task of revealing to them the true state of public opinion. They talked of the representations of the friends of free-trade as if they were the ravings of people who were constituency-hunting and popularity mad; while, in fact, a deep and settled feeling was really growing up among the middle classes, in favour of those principles which he was endeavouring to assert. The friends of free-trade might be in a minority within those walls, but go where you would, they were in a majority elsewhere. Even the farmers, the last class to which the light usually penetrated, were beginning to open their eyes to the real bearing of the question on their interests. Look for a moment at the reception which his hon. Friend the Member for Stockport had met with at Hertford. He (Mr. Ward) was a Hertfordshire man, and he pledged himself to the fact that the meeting which his hon. Friend addressed was composed of most respectable persons, and, among others, of many of the largest farmers of the county, yet, the motion for a total repeal of the Corn-law was carried almost unanimously, not ten hands being held up against it. He (Mr. Ward) had his information from a friend of his who held 1,000 acres of land, and held up his hand for it. And this was no combination of party. The appeal was made to a meeting of which the composition was miscellaneous and casual; yet it was their unanimous opinion, that the best thing for the tenantry would be to abolish the Corn-laws utterly. They were perfectly right; for the farmers never could know what they were about, so long as they had a Sliding-scale, and made contracts with their landlords on a basis liable to eternal fluctuation. They could not invest their money with safety, or cultivate, the land with advantage. They were not doing this at the present moment, for never had there been less labour applied to the land than during this year, and labour would never be applied to it again, till the farmers had more security than the present system gave them. The farmers well knew that repeal mattered little to them, provided they had an adjustment of rents, and were met fairly by their landlords. On the very spot, where this Hertford meeting was held, the last time he appeared publicly in Hertfordshire, when attending his friend Mr. Alston, who was no longer a Member of the House, to the hustings, in 1841, he remembered that they were swamped by the tenantry of Hertfordshire, coming down to vote for "the farmers' friends." The farmers now knew their friends a little better. They were ready to enter upon a new system; and if the landlords would grant them leases, and meet them fairly, they had no fear whatever of the consequences of free-trade. For himself, he had been reproached with being a traitor to that interest, with which he was naturally connected, and with having modified his own opinions since he came into the House; some might think, on account of the constituency, which he represented. That his opinions had undergone modification on the subject of the Corn-laws, he was not in the least ashamed to own. He had come into Parliament a stranger to England, without the means of forming an opinion on many subjects:—but he had educated himself, and he had formed opinions, which, having once satisfied himself of their justness, he should always be prepared to maintain. He held the same opinions, latterly, when representing St. Albans, as he held now; and he should hold them when he had no constituency to conciliate, or to fear, which would, probably, soon be the case, as he did not expect, after the close of the present Session, to continue a Member of that House. But if it were the last word, that he had to utter there, he would place on record his conviction, that the Corn-laws, from first to last, had been, what he began by calling them, a most calamitous mistake, which had deeply injured the community, without the slightest benefit to the land. In dealing with them now, he felt that, to tamper with the great interests of the country by a partial change, was certain to be a failure, as it had been up to that moment. By refusing to make that change, which public opinion, and public necessity, called for, they would alienate the affection, and respect, of the great bulk of the community, towards the Legislature, and fill them with sentiments of distrust, and aversion, which might endanger the very existence of the country itself;—while, by assenting to the change recommended by his hon. Friend, it was still in the power of the House to retain the confidence, and good will, of the people, which they would deservedly forfeit by turning a deaf ear to their prayers.

Captain *Fitzmaurice*, with permission of the House, wished to offer a few observations on the subject now before it; common justice required that he should refute some of the various calumnies which had been heaped upon that portion of the community which he had the honour to represent. He was not about to retaliate for all this in kind. It was by union, and not by discord, that we could hope to see the vast resources of this great country developed with advantage to the community at large. Hon. Members opposite had endeavoured to make out that the agriculturists were not only monopolists, but that they were anxious to separate their interests from those of the commercial world. Now, he did not believe that any agriculturist of common sense, if they could conceive such an animal, ever dreamt of anything of the kind. For his own part, he believed the two to be as identical as the soul was with the human body, and as well might they expect the corporeal functions to be carried on with vigour and effect after the soul had winged its long flight into the regions of eternity, as to suppose that this country would not have received a death-blow to its energies the moment these two interests were separated. He had far greater reason to tax the opposite side of the House with a wish for this separation. He had been a constant resident in the manufacturing districts, and he had frequently heard manufacturers say, that they hoped ere long to ride rough-shod over the landed interests of this country; and when they had performed this most christian feat, what would they have done? Why, what Cain did unto Abel—slain their own brother; and they might depend upon it, that the day that saw the downfall of the agriculturists would be a signal for them to weave sackcloth in their looms, and heap up their ashes for their own heads. Now, it appeared to him that this measure had been brought forward under a very great misnomer; it had received the appellation of free-trade; whereas, all that appeared to be sought for was the repeal of duty on a particular article, which pressed heavily on the particularly fine profits of the manufacturers. Free-trade to be just must be universal, and that land that was about to receive it as a practical benefit must be relieved from all those burthens which pressed heavily on the different portions of the community, and which, saddled with them as this country was, and more particularly the agricultural interest, would render it a cruel, unjust, and inefficient measure. Now, he feared that there were many hon. Members of that House who would gladly see this country assimilated to America; that land where freedom was supposed to expand her wing to the utmost, and soar the highest in her flight; that Eldorado of liberty where they held a population of millions in slavery, and where a citizen of the United States would not sit down beside a man of colour, no, not even in that very building where the Creator had declared that all men were equal in his sight. Let us see what was the state of this boasted land. From a pamphlet published by the League, he took the following:

> "During the interval from 1815 to 1822, the farmer experienced the most extraordinary fluctuations in the price of his merchandise—fluctuations arising from the variations of the seasons, but aggravated by the state of the law, which either rigorously prohibited, or indiscriminately admitted foreign corn. . . . In the spring of 1817 wheat sold at 120*s.* a quarter; in the winter of 1821-2 it sold at less than 40*s.* a quarter; the average of the year 1817 being 94*s.*, and that of 1822 being 43*s.* . . . . The insolvency of tenants at this period was unparaleled in the history of the agricultural classes."

Now, in a land where there was no Corn-law, he had a right to expect that there were none of these misfortunes or fluctuations; yet what was the case in America:—

"From the month of June, 1839, to the

month of October, 1840, the price of wheat was double at one period what it was at the other; in June, 1839, it was 31*s.* 9*d.*; in October, 1840, it was 63*s.* 4*d.* per quarter."

Look for a moment at the two classes who would be most materially affected by the passing of this measure. He alluded to the agricultural and mechanical labourer, whose condition we were told were despised. Could he, as a military man, despise either of those two classes whence were drawn the men who, but lately, swept our foes from the heights of Affghanistan, and planted the standard of England on the fortress of the Bala Hissar? and was the manufacturing mechanic the more to be despised because the sphere of his actions was more confined? What was there in reason or common sense that could make us despise the men by whom we were clothed? what could human nature suggest but the sincerest sympathy for that being who positively puts food into our mouths; who, while we were warming ourselves by the fire, was exposed to all the inclemencies of the season, who demanded neither honours, rewards, nor emoluments,—who sought but a bare subsistence, and lay down to rest merely to refresh himself for to-morrow's toil? It was painful to see the way in which they had, most unjustly, been held up to the execration of their fellow-creatures, and hon. members who professed to be such sincere advocates for the cause of truth and justice would, he was sure, regret expressions towards the agriculturists, which he was certain, at a future period, their better judgment would condemn. Regarding these two classes, had the conduct of manufacturers towards their operatives been such as to induce them to believe that they would benefit in a similar ratio with their employers? He contended it had not. He would allow that in many instances the wages might nominally not have been reduced in the manufacturing districts; but what had the reality been? Where men had been working by the piece a most ingenious device had been resorted to—their labour had received a sort of "*vires acquirit eundo*" process, by means of which their task has been doubled while their rate of wages remained the same as formerly. Now, he called this a most Jesuitical way of not lowering a man's wages. Secondly, in the event of free-trade becoming the law of the land, what occupation was devised for that mass of agricultural labourers who would be thrown out of employment by the poor and indifferent land being thrown out of cultivation? They would perhaps say, that poor land would not be thrown out of cultivation; but he strongly suspected that the farmers would decline the philanthropic honour of producing corn without any remuneration whatever; the dullest agricultural stupidity was rather too sharp for that. Well, then, what was to be done with these men. Would you give a man floss silk to weave who had been used to handle the plough and the flail? Why, more good stuff would stick to his fingers in a day's work than ever adhered to that of right hon. Gentlemen who had held office for the last ten years, and that was allowed to be no inconsiderable quantity. In the event of these men finding employment, he supposed we should next be told that free-trade would not lower their wages. Now, he contended that it must. No farmer or manufacturer could afford to give higher wages for his labour than the value of that labour would produce him in return. If a man gave 12*s.* a week for his labour when corn was selling for 55*s.* a quarter, what sort of price could he afford to give them when wheat was at 35*s.* or 40*s.*? It was of no use saying that the reduction in the price of provisions would make up the difference; it would not. He was almost fearful to name what he considered the greatest detriment that the farmer suffered from at this moment, because he knew full well what sort of reply he should have in return. What he alluded to was the perpetual ceaseless change in the law that ruled the farmer's destiny. If free-trade was to be our ultimate portion, far better that we should know it at once. Let the Corn-laws, like Lord Byron's description of the pirate's death—let them "with one pang, one bound escape control," sooner than be kept, like the sword of Damocles, quivering in perpetual uncertainty, over the farmer; and what was that man's condition at this moment? Why, positively trembling for existence under the breath of popular agitation; and was that the state you would leave those men in who once formed England's bulwark in her hour of need? He knew full well what hon. Members opposite would immediately say—why not settle the question at once? Simply because there were so many ways of settling the question, and that they were not inclined to settle it in a rational way. In Spain and Italy they settled the question with the knife and the dagger; in Ireland they more politely referred matters to the shillelagh; but he apprehended that the settlement that was intended for the agriculturist was the ship's settlement, and when they settled the question he believed they went down stern foremost and carried all hands with them. Now; he trusted that this House and this country would pause before they gave so fearful a plunge; that they would pause before they gave impulse to a shock which would vibrate from one end of this land to the other, and which would be re-echoed back by the angry voice of millions, in a manner that never could be mistaken. His firm conviction was, that free-trade would convulse this country to its centre, and that it never would rise from the shock. He had to thank the House for the patient kindness with which they had listened to these remarks, for the sake of those whose cause he was pleading, he regretted that he had not greater ability to urge it, but every man could only do his best. He was sure that he should not appeal to the good feeling of that House in vain when he asked them to take into consideration that anxiety which every man must feel on addressing himself for the first time to the aristocracy of rank, wealth, and talent which he saw before and around him on all sides.

Sir *C. Napier* would not have been inclined to trouble the House at all, but for the circumstance that he represented so large a constituency, which would not feel well satisfied with a silent vote. Last Session he had voted for the motion of his hon. Friend, and had stated his reasons for doing so. He thought it right on the present occasion also to state his reasons for the vote he intended to give in favour of the motion now brought forward. He was not himself an advocate for the total and immediate repeal of the Corn-laws, because he believed that such a measure would derange to a great extent the agricultural interest, and also, he thought, very much affect the labouring classes. If any hon. Gentleman had brought forward a motion for a fixed duty he should certainly have given his support to it in preference to a motion for a total repeal; but if no Member made a proposition for a fixed duty, he should certainly vote for his hon. Friend's motion, because he believed the existing sliding-scale was still more dangerous and disadvantageous to the trade and commerce of this country, as well as to the agricultural interest. He thought the Anti-Corn-law League had done a great deal of good in this country; they had a full right to agitate the question as much as possible, for all must have observed that nothing was to be obtained from the House but by agitation. The Reform Bill had been carried by agitation, and Change of the Corn-laws must be brought about by the same means. He was, however, of opinion that Members of Parliament should confine themselves to the arena of that House in the discussion of questions, and that was the reason why he had never joined the League. He had prepared a table, which would place in the clearest light the operation of the new sliding-scale in excluding the distant ports of the United States, Egypt, the Black Sea, and Sicily from the benefit of the trade. From the United States only 72 vessels had arrived in this country with corn and flour; the average number of days on the voyage was 39; the quantity of wheat, 5,923 quarters; of flour, 181,564 cwt.; the duty at the time of sailing, on the wheat 14*s.*, on the flour 5*s.* 5*d.*; at the time of arrival, on the wheat 9*s.* 10*d.*, on the flour 4*s.* 7*d.* From Egypt, the number of vessels was 53; the length of the voyage, 66 days; the quantity of wheat, 28,224 quarters (no flour); the duty at the time of sailing, 17*s.* 7*d.*; at the time of arrival, 12*s.* 2¼*d.* From Sicily the number of vessels was 26, the length of the voyage 59 days, the quantity of wheat 32,508 quarters, with 285 cwts. of flour; the duty at the time of sailing on the wheat, 16*s.* 7¼*d.*; on the flour, 9*s.* 6*d.*; at the time of arrival, on the wheat, 12*s.* 1¼*d.*; on the flour, 3*s.* 9¾*d.* From the ports of the Black Sea the number of vessels was 122, the length of the voyage 92 days, the quantity of wheat 213,560 quarters (no flour); the duty at the time of sailing 17*s.*; at the time of arrival, 12*s.* 6*d.* The whole quantity coming to this country from all these different regions was 280,215 quarters of wheat, and 181,849 cwts. of flour. This clearly proved that under the sliding-scale it was impossible for the distant ports to avail themselves of the market of this country. During a voyage from one of the near ports, performed with the aid of steam, there might be a tolerable certainty that there would be no great change of duty, but it was perfectly impossible for a merchant in a distant port to run the rick of sending a cargo, because he might find that the price had fallen so much, and the duty run so high, between the time of shipment and arrival, that the speculation might prove ruinous to him. Even the small quantity of flour that was brought from America did not come in the course of a regular trade, but it was brought by the liners merely to avoid taking ballast. From New Orleans, whence the Vice-President of the Board of Trade had assured them that 600,000 barrels of flour, and 300,000 quarters of wheat were ready to be introduced, when the ports were opened, only forty-six quarters of wheat, and 26,569 barrels of flour had yet arrived. The new sliding-scale had diminished to some extent the quantity of wheat thrown on the market at once during harvest time, and so far it was an improvement on the old law; but under a fixed duty, instead of importing an increased amount at once, as we still did, the quantity required would be brought in as it was wanted, prices would continue steady, trade would be improved, and agriculture, as he firmly believed, would suffer less than it did under the present system. The Vice-President of the Board of Trade had contended that the British shipowners did not suffer in their interests, having a fair share of the trade; but it was clearly impossible for shipowners to send their ships abroad and keep them waiting till corn should go up, and the scale should go down. The growers must take the first ship that was to be had in the port, for the English shipowners could not afford to keep their vessels waiting there. He had shown that the sliding-scale was as disadvantageous to trade and navigation as he believed it to be to agriculture, and as no fixed duty had been proposed, he felt it to be his duty to adhere to his hon. Friend, and vote for total repeal in preference to the right hon. Baronet's sliding-scale.

Mr. *B. Cochrane* said, that the question before the House had been so often discussed at length, and all that could be said on the subject had been so completely exhausted, that it was almost impossible to put forward any new argument on one side or other, or to propound any original views. But it was, notwithstanding, a question of such vital importance, not alone of itself, but in regard also to the collateral circumstances connected with it, that he trusted the House, in consideration of the duty he owed his constituents, and the country would bear with him for a brief space while he addressed to it one or two observations on the subject. Ever since her Majesty's late Government had brought forward their novel expedient for filling the Exchequer by the abolition of the Corn-law, the Corn-law agitation had been the one agitation of the country. As the hon. Member for Stockport had promised on a previous occasion, the opponents of the Corn-law, or rather, the promoters of the agitation, had sent their emissaries into every village in the country to promulgate their doctrines, and he considered it was but due to these persons to state that they conducted their agitation with great energy, with much vigour, and with a considerable degree of system in the matter. The result was, that the agitation of the Corn-law was now the all-pervading political feature of the day. He had been very much astonished at some of the arguments of the hon. Member for Sheffield in favour of the motion. The hon. Member had said that protection to agriculture commenced in 1815; but he could not understand how the hon. Member should make such a statement. In 1815, the remunerating price of corn was stated to be 80*s*., but in 1822, it was fixed as low as 70*s*.; and in 1826, when Mr. Canning brought forward his motion on the subject of the Corn-laws, it had been declared by no less an authority than the Duke of Wellington at 66*s*. Last year, likewise, the right hon. Baronet at the head of her Majesty's Government had placed it between 54*s*. and 56*s*. Under these circumstances, he wished to know how the hon. Member for Sheffield could say that there had been protection to agriculture for so long a period. On the contrary, there had been a diminution of protection since 1815—a diminution, progressive and certain, arising wholly out of the cry without doors on the subject. However, there was one fact deduceable from the statement of the hon. Member which ought to be borne in mind by the House in deciding upon the question before it, namely—that there had not been a single settlement of the Corn-law since 1815, which had been satisfactory to hon. Gentlemen opposite. It was urged that a fixed duty would be a satisfactory settlement of the question; but he would ask the House whether, for a moment, any one believed that such a settlement would be considered final? Every hon. Member who had given the subject the least attention was well aware that the Corn-law was not the real question at issue; that it was only a stalking-horse for agitation; and that if it even were repealed the next day, the day following there would be found another grievance, wherewith to disturb the peace of the country—vote by ballot, universal suffrage, or anything else that could produce agitation. But to recur to other grounds of argument against the motion before the House. Last year the hon. Member for Wolverhampton had stated explicitly, as a ground for granting his motion on the subject, that the repeal of the Corn-law would not throw a single acre of land out of cultivation in the country; and, in proof of his assertion, the hon. Member stated as on authority, that no less than two millions of quarters of corn would be required for the consumption of the population over and above what the land at present under cultivation could produce. The same thing, in substance, had been said a short time since, also, by the hon. Member for Stockport, who added, that by making proper arrangements, the landlord might be certain that no land would be lost to them which was productive at present. But then came the hon. Member for Sheffield, and he stated that the repeal of the Corn-law would throw all the bad land at present productive entirely out of cultivation. Which was to be trusted? When doctors differed, who would undertake to decide? One thing, however, was certain; these Gentlemen were all embarked in the same ship, and had in that respect but the same object in view, the end of their voyage. It was quite amusing to hear how hon. Gentlemen on the other side of the House spoke of the mighty interests mixed up and inseparably united with the Corn-law. The agriculturists of the country were talked of as a small section, and the immense influence possessed by them, as a legitimate consequence of their position, was affected to be slighted. But the agriculturists, including landlords, farmers, and labourers of every class connected with land, formed, in point of fact, the great mass of the population in point of numbers; and were, in strict truth, the great elements of the national strength. On the subject of that influence he could not, he considered, quote any authority more apposite, nor of a higher character, than that of the right hon. Baronet at the head of the Home Department, in his able pamphlet on corn and currency. The right hon. Baronet said:—

> "United, what might not the landed interest effect? The ancient nobility inheriting strong attachment to the soil which their forefathers transmitted as the shield to the family honours, constitutes still an immense majority in the House of Lords, notwithstanding the more recent infusion of less noble blood. In the House of Commons the landed proprietors form a phalanx which no Minister could resist if they could be brought to act in concert, and move on one attainable object."

In 1814, Mr. Huskisson stated that protection should be ensured to the home-grower of corn against the foreign producer; and although that distinguished statesman had changed or modified his opinions subsequently, he (Mr. B. Cochrane) did not see how hon. Gentlemen on the other side of the House could refute that statement. At all events, they had not, up to that time, succeeded in their attempts. The hon. Member for Stockport had laid great stress upon the subject of wages, in connection with the question under discussion, and had attempted to prove that the distress of the country was directly caused by the operation of the Corn-law. No one questioned the distress of the country; but he could not admit the hon. Gentleman's conclusions as to its cause. The hon. Member had alluded to the speech of the hon. Member for Dorsetshire, and commented on the low wages and the distress which he said prevailed upon the hon. Gentleman's estate. On no estate in the south of England, however, he was was prepared to prove, had the tenantry such a kind landlord as his hon. Friend the Member for Dorsetshire, and no landlord had a happier or more contented tenantry. But if there was such distress on the estate of his hon. Friend as the hon. Member for Stockport had represented, what must it be in other agricultural districts? He would also ask, was there no distress in the manufacturing districts? Were all the workmen employed by the hon. Gentlemen and other manufacturers living perfectly at their ease in the midst of abundance, well supported and well cared for? [*Laughter.*] The hon. Member for

Sheffield smiled. But the hon. Member did not smile when he made use of the distress among the manufacturers for the purposes of his own argument. The distress of the manufacturing districts, however, unlike that of the agricultural, had come to be considered as inseparably connected with ignorance and depravity, and in the minds of men they were identified with the productive results of the manufacturing system. That misery and depravity arose principally from the cupidity of individuals, who were cursed with the all-absorbing desire for an accumulation of wealth—that appetite which grew with what it fed upon. He asked—fearlessly asked—hon. Gentlemen opposite to produce parallel profligacy and distress as a consequence of the agricultural system, or as miseries common to the population of the agricultural districts. The hon. Member for Newark and another hon. Member had gone down to Bolton last year to examine into the condition of the working population of that town, and they had, on their return, described the distress which prevailed there in terms that horrified the hearer. Houses so shattered, that the wind, and the rain, and the cold, found a free entry, into them—all, indeed, but comfort, were among the items; and crowds, so destitute of every article of bedding, that one blanket was the average among every fifty-four individuals. All that wretchedness arose from the over-anxiety of individuals to accumulate wealth, and from the over-production in manufactures, consequent upon that desire. A great deal had been said of national prosperity abroad, at the present moment. The conquests of England in China had been vaunted, her colonies had been put forward, and it was boasted that the sun never set on her empire—while at home her railways and canals, and steam boats and manufactories, improved modes of traffic and production, were pointed at as a corroborative proof of similar internal wealth and power. But to that was decidedly opposed the acknowledged distress of the people, and he (Mr. B. Cochrane), for one, would far prefer to see a country humble in its relations with other nations and less active in its internal movements, if the distress of the people were lessened and their sufferings more mitigated. With respect to the Corn-law, he would ask the House if the right hon. Baronet at the head of her Majesty's Government, had not, last year, conceded sufficient to the clamour out of doors. The Government had, like men at sea in a storm, attempted to relieve the vessel of the State by throwing overboard part of the lading; yet now they were called upon to sacrifice the whole to the spirit of that storm, which would never be appeased by any sacrifice. They had conceded largely, and by so doing had reaped the usual results—they had satisfied no party in the State. It was now discovered by one part of the population that cheap bread caused low wages, while the other found to their cost that the production of the corn which made it was a most unprofitable labour. That fact came out in one of the organs of the party opposed to the Corn-laws, the *Morning Chronicle*. It was, in fact, the whole secret—the repeal of the Corn-laws was sought for to lessen the price of labour, and reduce wages—and that was the real cause of the interested agitation which existed on the subject. The concessions of the Government had satisfied no party; and in the language of the noble Lord, the Member for London, they had conceded without conciliating. The hon. Member for Wolverhampton had said that Scotland was perfectly satisfied to have a repeal of the Corn-law, but he could see no foundation in fact for such a statement. If the hon. Gentleman referred to the Lothians, where leases were for nineteen years, and the farms large, and the farmers possessed of large capital, thus being able by the combination of favourable circumstances, to afford loss for a time, then he might be right to a certain extent; but in Lanarkshire and the other poor counties of that kingdom it was a well-ascertained truth that most of the small farms were going out of cultivation. The reason was obvious; in 1841, the price of wheat was 57*s.*; in 1843, it was 44*s.* It was doubtless, the interest of every Government to keep down the price of corn, as a means of aiding taxation; but nothing could be worse than the system of concession adopted by them on this question. Of all doctrines in politics, that which he (Mr. B. Cochrane) thought the most dangerous was that of *in media tutissimus ibis*. He did not mean to say for a moment, that there were times and circumstances in which it would be only wise to steer between two courses; but he never could admit that it was wisdom to make an alternative a principle of action when no necessity for so doing existed. In his opinion, the good of the country would be better consulted by a decided declaration either way—either for or against any further change in the Corn-law; and he considered that the many interests involved in it would be less affected even by the certainty of loss than by the apprehensions which they endured daily of some great impending danger. A broad, bold line of policy should be laid down by the Government, and it should be strictly adhered to. That policy should be antagonistic to concession as a general rule; as all the revolutions that had recently occurred in Europe were traceable to that cause. If Charles the 1st had taken a decided course, according to Hume, he would not have suffered death on the scaffold. If James the 2nd had not been sacrificed by his own inconstancy, and that of his Ministers, Halifax and Sunderland, according to Sir James Mackintosh, he would not have lost the crown of these realms: and if Turgot had not been displaced to make room for the vacillating policy of Necker and Calone, the miseries and slaughters of the first revolution would, perhaps, never have been inflicted on France. The only way to arrest the march of revolution in this country was to decide at once against all concession. With respect to the question before the House, if the agricultural party were only true to themselves, no influence that could be brought to bear on them from the boards of Drury-lane, or elsewhere, would be able to destroy them or even to injure their interests. In conclusion, he would warn the House against despising the considerations he had urged, and entreat hon. Members not to deceive themselves into the belief that a great crisis was not at hand, unless they chose to despise the solemn warning of Scripture that a kingdom divided against itself, any more than a house, cannot stand.

Sir *G. Strickland* said, it was with diffidence that he approached this great question—one which had been the object of his own reflection for thirty years, and which was now discussed with so much ardour, that it seemed impossible to throw a new light upon it. He, however, represented a number of persons who were deeply interested in the question, and he felt it his duty to offer a few observations. Every man was now watching the progress of this question with the utmost eagerness, and the cry was, "We are almost starving; will not the House of Commons give us relief?" He thought that nothing could be more true than what had been said by the hon. Member for Sheffield (Mr. Ward) that, unless the House showed some sympathy with the deep distress of the people, the result would be a general alienation of the affections of the people from that House. The distress not only extended to manufactures and trade, but to agriculture, and the agriculturists were daily and hourly saying, "We have no friends in the House of Commons." When it was clearly shown that corn was cheaper abroad, was it not natural for the suffering poor to draw the inference, that by the ports being opened and a new field opened for industry, so that food would be brought here in abundance, that their position would be rendered more advantageous, and that having asked, "Who stands between us and the amelioration of our condition?" they would answer the question for themselves—"The landlords of England." Such an opportunity was now presented to England to make the desired change, as, if lost, might never be presented again, without producing a revulsion in society which might shake its very foundation. At the present time he believed, more than for many years, there was a nearer equality between the price of corn in England and on the Continent. He believed that no great distress would be produced among the agriculturists by a change, but that a new market would be opened for industry; and so far from a great revulsion ensuing by the total repeal of the Corn-laws, he thought that the alteration would pass off very quietly. But let things go on until there should come a scarce harvest, and the clamour would be universal, and carry with it such a force, that it would be impossible to resist it. The Corn-law, must, then, be repealed; and then agriculture would suffer from one of those revulsions which had been so frequent during the operation of the sliding-scale; that scale, which the farmers said was always sliding up when they wished it down, and sliding down when they wished it up. Notwithstanding that England had been subjected to the odious, and, he would add, demoralising tax upon income, and that five millions of money were to be derived from it during the year, there was still a deficit of two millions at a time of universal distress.

How was that difficulty to be got over? The improvement of trade would give a spring to industry in all its branches. Agriculture would receive a corresponding benefit, and then it would be seen that we were able to meet the financial difficulties of the country. He had heard statements of improvement in the state of trade from high authority in that House, but the accounts he had received from different parts of the country told a very different tale. The hon. Baronet read extracts of letters from Doncaster and the West Riding of Yorkshire, detailing the state of distress there, both in manufacturing and agricultural districts. With regard to Doncaster, a few years ago, it would have been impossible to get up a petition against the Corn-law, but now he had a petition from that place, signed by 3,080 persons, praying for an alteration in those laws. There never had been a period when a change could be made with greater advantage, or at the expense of less oppression to the parties interested, than the present. Now was the time to do the good work, and, he was convinced, that it was by free-trade alone the happiness and prosperity of the country could be insured.

Mr. *H. J. Baillie* had observed that one of the favourite arguments or assertions of the hon. Member for Stockport was that the manufacturers of this country did not ask or look for protection; and that if the agriculturists were to bring to bear corresponding improvements in agriculture, which the manufacturers had made in machinery, there would be no necessity for protection. Now, he believed that the landed proprietors and the manufacturers of this kingdom were not, and could not be, on an equality, as far as regarded their respective capabilities of sustaining competition. It was well known that England possessed the greatest advantages for the production of manufactures, greater than any other of the countries of Europe, because she possessed coal and iron in immense quantities, and therefore it was not surprising that our manufacturers were able to compete with those of other countries. But what was the fact as to the productions of the land? Why that England laboured under greater disadvantages than any other country which grew corn. Thus, corn grown in Poland was 20 per cent. more valuable than the corn grown in the West of England, the North of England, Ireland, and Scotland, an advantage which that country derives from the superiority of her climate, and against which no skill or science on the part of the English agriculturist would ever enable him to contend. In Egypt three crops were raised in one year, without the aid even of manure. The hon. Member for Stockport had on a former occasion spoken of the state of the rural population in Dorset — (he must say he should have thought the hon. Member would have been better able to have given some information on the condition of the people in the manufacturing districts)—and he declared that the people who were engaged in the manufacturing districts were better off than those who were engaged in agricultural pursuits, but the hon. Member did not give any details. He would endeavour partially to supply that deficiency. He would not state what the actual condition of the population in the great towns at the present moment was, after two years of unexampled distress, but he would state what was their condition in the most important manufacturing county in Scotland in the year 1841, after ten years of unexampled manufacturing prosperity. In the county of Lanark, the population increased during the ten years from 1831 to 1841, from 316,000 to 434,000, being 37 per cent.; and the manufacturing produce, as estimated by the harbour dues on the river Clyde, had doubled during the same period. Iron mines had also been brought into operation producing 1.500,000*l.* a-year, an increase of commercial and manufacturing prosperity, without a parallel in the history of civilizution. But what was the altered condition of the people? The average mortality of the people of Glasgow had increased from one in every forty-one to one in every thirty-one; and serious crime punishable with death or transportation had increased about 50 per cent., (being an increase about four times as fast as the increase of the population. Such were the results in a period of the most extraordinary manufacturing prosperity ever known in the history of any country. The House knew what they were to expect as the result of manufacturing distress. The starving cries of the weavers of Paisley and of Bolton had told them that. Still the hon. Member for Stockport said that the manufacturing population were better off than the people in the rural districts. Where in the rural districts did the hon. Member ever hear of one in every three and a half dying of malignant fever, engendered by poverty and vice? The result of the manufacturing system had been to produce evils which were without parallel in the history of any country. Now, he blamed not the master manufacturers, nor did he blame any individuals, but he blamed that system which had been tolerated by the Legislature, which had not only permitted, but encouraged individuals to collect together the rural population into the towns in times of manufacturing prosperity without obtaining any guarantee, either as to the duration of employment to be given, or, if they gained employment, without being assured that any religious instruction would be afforded to them. The argument of hon. Gentlemen opposite was, that the Corn-law gave the agricultural interest a monopoly, and that, as all monopolies were an evil, and therefore ought to be abolished. But the abolition of a monopoly might be a greater evil than the existence of the monopoly itself. The condition of the people in the western islands of Scotland, would show the effect of abolishing a manufacture of long standing, although it might be called a monopoly. The kelp manufacture was a monopoly; but what was the effect of the destruction of that manufacture? The rents of the landed proprietors were reduced 50 per cent., that was an evil which they might he able to bear, but the great body of the population employed were plunged into a state of the greatest destitution, and in that condition they had ever since remained. They had been saved from starvation by contributions from other quarters. Such was the result of abolishing a monopoly in a remote district of Scotland, and if such consequences could result from so partial and limited an application of the principles advocated by hon. Gentlemen opposite, he need hardly ask what would be the effect of abolishing a monopoly which pervaded the whole country from one end of it to the other. The natural effect of withdrawing protection from corn would be, that a vast portion of the land of this country would go out of cultivation, the labouring population would be thrown out of employment, and consigned to a state of misery and destitution; and then, probably, they would receive the same amount of sympathy from hon. Gentlemen opposite, as the people of the islands of Scotland did, when the manufacture of kelp was abolished. He did not believe that any Government would ever be induced to withhold protection from agriculture. They might have another set of men in power, and a sliding scale might be changed into a fixed duty, and for his part he did not think the agriculturists cared in what shape protection was given to them; but he was convinced that no Minister would venture to take upon himself the responsibility of being the certain cause of that great distress which would inevitably follow the withdrawal of protection from the produce of the soil, for the purpose of giving increased impetus to that extravagant system of speculation which had already been the source of so much evil and misery in the manufacturing districts of this country.

Mr. *Gisborne* wished the hon. Member for Lincolnshire had been in his place, because that hon. Gentleman last night asked whether, if a farmer when calculating his profits found a deficiency in his crops, must he not look to the stock which he kept on his farm in order to realise his expenses. Now, as a practical farmer himself, and having long watched the progress of agriculture in this country, he (Mr. Gisborne) would say, he had always found that every improvement in agriculture had been attended by the devotion of a reduced and restricted breadth of land for the growth of corn. Every improvement in agriculture had led to the substitution of other crops for crops of corn. It might sound strange to some ears, but he would venture to assert that the growth of corn was the rudest and most barbarous product of agriculture. It was the product which was first resorted to in breaking up of waste lands, and the first adopted in the occupation of a new country. In every country, as improvements took place, as greater skill was introduced, and greater labour employed in the cultivation of the soil, the consequence always had been that a smaller portion of the land was devoted to the production of corn. It had been the case in this country in every improvement in agriculture; and every increase in the riches of a country had the same tendency. He had no doubt that in the time of Julius Cæsar corn was grown in Marylebone; and that in the days of Elizabeth they grew corn at Paddington; but now, by the increase of wealth and of populaion, the growth of corn was expelled to a greater distance, and so the rich alluvial bottom of the country became occupied by other things, being taken away from the growers of corn, who were driven to poorer lands. The necessary result was, that every country which became fully civilised, and very rich and wealthy, and not having a sufficiency of poor lands within its own boundaries on which to produce corn, was driven by necessity to become an importing country. But the argument of the hon. Gentleman was, that this country lay under great disability as to the production of corn, and therefore the Legislature in order to promote the growth of corn must give it protection. How far was that argument to be carried? He knew that the argument last year was, that this country ought to be independent of foreign countries in the supply of corn. But he had not heard that argument repeated during the present debate. He rather thought it was put forth last year more on the strength of the names of those who had advanced it than on any force of reason which it carried in itself. However that doctrine was gone. The hon. Gentleman opposite had spoken of the great evil that had been done to this country by collecting the rural population into towns. Now, suppose the rural population had not been so collected, was the hon. Gentleman prepared in his rural district to support them? If they had remained in the rural districts would they have been as well off as in the towns? The manufacture of kelp was but a new manufacture in the islands of Scotland, by which many persons from the town districts were attracted, and if, as the hon. Gentleman had said, the landlords' rents had been, by the destruction of that manufacture, reduced 50 per cent., was it not a fact that by the introduction of the manufacture to those parts, the land was, in the first instance, improved 200 per cent? He would now address himself more particularly to the question before the House; but, before he did so, perhaps the House would permit him to state what were his feelings on again taking his seat amongst them, after an interval of two years; not that he thought his feelings were a matter of consequence either to the House or to the country; but, coming fresh from the country, and having upon him rather the impress that was to be derived from what was passing out of doors, than that produced by the partialities, and—he would not say aversions—but the likings and dislikings created by the contests in that House, he believed that his own feelings might be fairly regarded as the reflex of the feelings of a very large body of men in this country, who do not care much about Whig or Tory, but who do feel a very deep concern in the substantial interests of the country. During his exclusion from the House he had been living among the people in the distressed districts. He had met them both as an employer of labour and as a landlord, and more particularly perhaps as one having a great deal of cottage property. He had met them at the board as a guardian of the poor; he had met them on the bench as a magistrate, and still more than all, he had met them in his daily and intimate intercourse with the labouring classes in his own neighbourhood, and by nothing had the state of distress in the country, according as it struck his own mind, been so much marked, as by the gradual and increasing deterioration in strength and health of the greater part of the labouring population. Before he returned again to that House he certainly had heard a good deal of improvement in the manufacturing districts. In his own parish there were five cotton mills, all of which had been for a long time standing idle, and only one of them was now partially at work; but still he had heard that considerable improvement had taken place in the Manchester district. Now, he could not hear this without feeling that there were certain circumstances which a very discreet man would take into his account before he placed much credence in this statement. In the first place, they could not expect the month of May to be so dull as the month of December. In the next place, he remembered the great manufacturing prosperity which existed at the close of the year 1825 and the beginning of 1826, and which lasted as long as we sent our goods to the western coast of South America. That trade was stated to be the result of a very sound demand, but they all knew the events of that period. The stimulus which had latterly taken place in trade had been mainly owing to the demand for goods to be sent to China. He had been informed so by the manufacturers themselves; and before the House calculated too much upon it they should wait to see what return would be made for these goods. He hoped the right hon. Gentlemen opposite would take these circumstances into their account before they laid too much stress in determining on a course of legislation upon the revival of a trade which might be of so very short a duration. But he had been about to say—it might be partly attributed to his own old habits as a Member of that House—that when the present Government came into office he watched with deep and anxious interest the course likely to be taken by them; and he soon found, that the right hon. Baronet admitted the abstract principle of free-trade. The right hon. Gentleman in one word, said that "we should buy in the cheapest and sell in the dearest market." That, in fact, was an admission of all the principles of free-trade. Another right hon. Gentleman, who on this subject must be considered as only second in authority to the right hon. Baronet himself, gave his adhesion to the same doctrine. That right hon. Gentleman had stated, that it would save a great deal of trouble and discussion, at once to admit the doctrine in the abstract. But the right hon. Gentleman had given not only an official, but a philosophical sanction to this doctrine, by publishing a document, which, whether considered as intended to prepare the minds of the people for the course which the Government would take on this subject, or whether as an overflowing of the right hon. Gentleman's own mind, which could not wait for the expression of his opinions in the regular way in his place in Parliament, must, in either case, be considered a document of very great importance, and one of extreme interest to those who were anxious to know what course of legislation the present Government were likely to take upon this subject. He was not one of those who considered that the tariff was in the least degree inconsistent with the principles which the right hon. Baronet, at the commencement of his Government, laid down. He thought the tariff fulfilled the condition upon which it was brought forward. But having heard these sound principles propounded by the right hon. Baronet, and having seen them partly carried out by the tariff, he certainly did receive a very considerable shock when, after the Chancellor of the Exchequer delivered his budget speech, he (Mr. Gisborne) found in the answer to some questions put to the right hon. Baronet, that these principles, so propounded, and which were the foundation of the system so ably supported by the right hon. Baronet himself, and by his right hon. Colleague, were to have no extension whatever in the present Session of Parliament. He (Mr. Gisborne) had felt great confidence, that the right hon. Baronet would have carried out those principles, because he felt that it was a Government which could carry them out. They were not a Government which had to fight every night for its existence. It was not a Government depending upon three or four votes whether it should be a Government or not. He believed there never was a Government, as far as parliamentary opposition was concerned, since the French revolution, that stood so strong as the present Government, and it was from that Government which had so solemly propounded these principles they had now heard that those principles were to be carried no further. When his hon. Friend, the Member for Wolverhampton, in one of the ablest and most effective but quiet speeches he had ever heard, proposed to carry out these principles, the right hon. Gentleman, the Vice-President of the Board of Trade, met it with a decided negative, which was thrown before the House without even a rag to cover its nakedness. Now he protested against such conduct as that. A gentleman who had put forth to the country doctrines such as he had already stated to the House had no right to treat such a proposition in such a manner. That right hon. Gentleman had said,—

> "That the industry of this country had nothing to fear from a steady and gradual increase of importation of all commodities from abroad which could be produced at less cost of human labour and capital than among ourselves."

Was not corn such a commodity? Ay, said the right hon. Gentleman, but what you propose is not a gradual increase. But he wished to know whether the word "steady" was not just as much opposed to his (the right hon. Gentleman's) own proposition as was the word "gradual" to the proposition of the hon. Member for Wolverhampton. How could any man who advocated a "steady and gradual increase of importation of foreign commodities," consistently say, that no further step should be taken in that direction; that there should be no increase at all? Was that a fair doctrine for the right hon. Gentleman to maintain, after the semiofficial sanction he had given to the doctrine of free-trade? The proposition of the right hon. Gentleman himself was at least as much opposed to his own argument as to the proposition of the hon. Member for Wolverhampton. The hon. and learned Member for Bath (Mr. Roebuck) had said, that there was a single grain of wheat among a load of chaff in the argument of the right hon. Gentleman. He (Mr. Gisborne) would leave that observation to the hon. and learned Member whom it became so well. But the part of the right hon. Gentleman's speech to which the hon. and learned Member for Bath referred, was not an argument—it was merely a phantom. What the hon. and learned Gentleman referred to was, the two millions of quarters of corn said to be ready at New Orleans to be shipped to this country at 22*s*. a quarter. This was merely a phantom, which the right hon. Gentleman had conjured up to annihilate his opponents. But the right hon. Gentleman had not only out-Heroded Herod, but had out-Tamboffed Tamboff, for he had not only increased the quantity, but had decreased the price. He said, that there were two millions of quarters waiting to come to England at 22*s*. a quarter. He (Mr. Gisborne) rather did wonder at the simplicity of the right hon. Gentleman. He should have thought, that his official experience, and if not that, even some of his commercial connections might have informed him, that if he had sent to New Orleans for 100,000 quarters of wheat, which he might have obtained at 22*s*. a quarter, it was very likely that some Mr. Trueman at New Orleans, would immediately have written to the consigner of the wheat, and have said, " a large buyer had appeared in the market, which has obtained an increased firmness, and I think we ought to increase our quotation for wheat by 2*s*. a quarter." And when the right hon. Gentleman sent for his second 100,000 quarters he would find he had to pay an increased price, and thus for every 100,000 quarters there would be an accelerating increase, and before half the 2,000,000 were sold, the price would reach even higher than 27*s*. a quarter. He would recommend the agriculturists, and even the right hon. Gentleman himself, who were alarmed as to the great quantity of wheat on the shores of the Mississippi, to read the Canada papers on the subject. They would there find all the prices and charges set forth; the rate of shipping, the brokerage, the insurance, the interest of money, and so on; and, according to those papers, no wheat at all could come from America under charges amounting to 26*s*. 2*d*. a quarter. He wondered whether, on a future occasion, when the Canadian measure should be introduced, it would be the fate of the right hon. Gentleman (Mr. Gladstone) to have to prove, that although a deluge of wheat might swamp us from the waters of the Mississippi, yet that nothing but a sprinkling of flour could come from the St. Lawrence. He should wish to know whether that was the part which was to be assigned to the right hon. Gentleman. He (Mr. Gisborne) had already said, that the right hon. Gentleman had no right to meet the motion of the hon. Member for Wolverhampton after what that right hon. Gentleman had himself said and written upon the subject. The House were entitled to know from him why he excepted corn, and continued to except corn from that " steady and gradual importation which was not to do any harm to any interest in this country?" They had a right to know his principle, and also the ground of the exception which he had made in the instance of corn; but the right hon. Gentleman had not given any. After speaking much about the wheat that was on the shores of the Mississippi, the right hon. Gentleman said that it would be a mere sign of utter imbecility on the part of the Government, if, after having passed a Corn-law last year, they should repeal it this. But he had known a Government who were not very *exigeante*, and yet who had gone on very well notwithstanding. There were some experiments, however, which could not last too short a time; and he thought the Corn-law was something of that sort. As the right hon. Gentleman had given no reasons, he must turn to other speakers in the debate. The hon. Member for Lincolnshire (Mr. Christopher) had stated that this law was necessary for the protection of British agriculture. Now he (Mr. Gisborne) wanted to know whether it was for the protection of good or of bad agriculture? That such laws were necessary for the protection of barbarous instruments, barbarously applied — that they were necessary for the protection of inconvenient farm buildings and arrangements—for three-corned fields and three-horned cattle—for grass lands covered with rushes, and corn lands with furrows full of water, and, above all, that they were necessary for the protection of lands let at rack-rent from year to year, that they were necessary for the protection of all these things, he firmly believed, for he was quite sure that none of these things could exist without them, nor long with them. But this he would say, with respect to the agriculture of this country, that while every art and every science, and everything else which contributed to human enjoyment had improved to an almost incredible degree, in our time, agriculture had hardly improved at all. Thirty years ago he had become a farmer, and he had then read works showing the state of agriculture, particularly in the Lothians, and the adoption of certain improvements in agriculture. Those improvements extended to Northumberland and to Norfolk where farming had been prosperous; but they had gone no farther. In thirty years the advances in arts and manufactures had, however, been so remarkable, that if a man could be raised from the dead, he would hardly credit his senses when he beheld them; on the other hand, if a man's grandfather, who had been a farmer, were resuscitated, he would know the very spot where he had lived. He would say, "Here is the old place again—here is my old house, my old barn, my old plough, and, if not my old mare, her old progeny, the old hedges, and everything as it used to be." Such, in fact, was the case with four-fifths of England. Thirty years since he had sold a small township of land, including a farm he had himself occupied—of decent soil, and decent climate; but on visiting it lately, he had observed, that not only had no improvement taken place, but that the farm he had cultivated, had even deteriorated. If an improved system were introduced, not only would the produce be increased one-third, but the expenses would be one-third diminished. There must then, be, something peculiar in agriculture, which prevented the progress of improvement. He wished that some Gentleman of authority would contradict him on this point, in order that it might be fairly disputed and settled; but he laid it down broadly, that excepting some general improvement in stock, and some slight improvement in drainage, British agriculture had, for thirty years, and more, remained stationary. Another point had been introduced by the hon. Member for Lincolnshire (Mr. Christopher) when he asked—

> "Suppose that, under the free-trade system, you greatly diminish prices, can you continue to pay the interest of your debt, and the expenses of your establishments?"

His belief was, that taking the average of ten years, no possible legislation could materially change prices, unless the standard of value were altered; but as that was a doctrine which few persons held, he would take the other proposition, that there would be a large diminution of prices under a free-trade system. He would admit, at once that the present scale of payments could not be maintained; and having admitted that, he required the other side to make some admission to him: it was that if the principles of free-trade were not carried out the power of consumption on the part of the people must be diminished. If they would not admit that he had plenty of authorities to justify the assertion, so supposing that to be the case, let them look at the way in which they derived their revenue. Three fifths of the revenue were at present derived from the customs and excise; and supposing that for want of extended trade the power of consumption materially diminished, as had been the case during the last three years, would the public creditor or our establishments have a better chance of being paid for under that system than under any other? If he were to advise the public creditor, it would be to take his chance of free-trade as the least risk of the two. Look what the state of things would be if the power of consumption ceased. All the burthens of the state must then fall upon the land. How long then did they think it would be before some Chancellor of the Exchequer would come to the House, and, speaking the sense of the people of this country, say "These fundholders receive every thing and spend nothing. They are living among a population whom we are maintaining, or they have withdrawn themselves from the spectacle of their misery. Therefore, let us impose 20 or 30 per cent. on the fundholders, that they also may assist to relieve the misery of the country, and bear their share of its burthens." For those who were desirous to keep faith with the public creditor, free-trade was the best chance of the two, and the risk the latter would run was nothing to that which would result from any material diminution of the power of consumption. An hon. Gentleman had spoken strongly of the uncertainty in which the agricultural interest was placed by the agitation of this question; but to whom was this to be imputed? The right hon. Gentleman (Sir R. Peel) had, last year, altered the state of the farming interest; but had he told them how long their present system was to last? Had not the language of the Government led to the general belief that it was not a permanent system? If this were so, surely on a motion like the present the agriculturists were entitled to know how long it was to be continued. If any gentleman stated the present law was a permanent measure, the right hon. Baronet immediately repudiated the notion; and under these circumstances, was it likely the agriculturists could be in a flourishing condition? All the best authorities on the subject admitted that the great bane of agriculture was, that the occupier had not a permanent interest in the soil: in the Lothians, and in Northumberland, and Norfolk that part of the population was most thriving which enjoyed leases, if they turned to the Highlands, where they took produce rents, they would find no such uncertainty. In fact, the only thriving agricultural countries were those in which the occupier had also a permanent interest in the soil. What landlord and tenant could make a satisfactory bargain while the law remained in its present state? What man could, under existing circumstances, sell a landed estate? Was it not, then, much better for the farmers to have this question finally settled that they might know at length upon what footing they stood. The Anti-Corn-law League had to-night been treated with great forbearance, although there had been indications that it was not a body regarded on the other side of the House with peculiar favour. But if hon. Gentlemen opposite would take his advice, he would show them how to get rid of it altogether. If they would carry back their recollections to the time of the Anti-Catholic Association they would find that it was got rid of by two persons—the one being Field-marshal the Duke of Wellington, and the other—Mr. Secretary Peel. Now, certainly, the field-marshal did not get rid of the Anti-Catholic Association by arraying against it the military force of the empire; neither did the Secretary of State get rid of it by calling out the constabulary or municipal force, or consigning it to his Attorney or Solicitor General. On the contrary, they got rid of it simply by granting all that was desired, and he believed a little more. Now he would recommend them to do the same with the Anti-Corn Law League; and it would not surprise him if it were got rid of by the same means and by the same hands. He was sure it would never be got rid of in any other mode. The Vice-President of the Board of Trade made some remarks yesterday, which he was extremely sorry to hear. He argued (if argument if could be called) against the motion of the hon. Member for Wolverhampton, that the state of the people in this country was better now than it was one hundred years ago. Why were all their great improvements in science and arts? Was the vast power they exercised over manufactures to result in nothing for the benefit of the lower orders in this country? Was it enough to tell them that the people were a little better off now than they were 100 years ago? He would put it to any gentleman who was the owner of 2,000 or of 5,000 acres of land, how he would like now to live with only the same comforts and enjoyments as those possessed by his ancestors a century ago? Were the lower orders to share none of the improvements of society. He said civilisation was worth nothing if it did not benefit them? Was it to be a matter of congratulation that the working classes now sometimes ate wheat, whereas formerly they had subsisted upon rye? Such sources of gratification on the part of a minister deserved nothing less than impeachment? He (Mr. Gisborne) feared that many of the working classes now lived upon potatoes or oatmeal who formerly ate wheat. If it were offensive to compare the state of the people now with their state one hundred years ago, surely it was still more offensive to compare them with the serfs of Poland or of Russia. If the repeal of the Corn-laws were to be opposed, it must be resisted by better arguments than these. Every hon. Member on the opposite benches knew that the Corn-laws were at this moment doomed; he had said so elsewhere, and he repeated it here; and he supported the motion of the hon. Member for Wolverhampton, because he believed it would give a chance to the labouring population, that they should participate in the advantages other classes enjoyed from the modern improvements in arts, science, and manufactures.

Mr. *Colquhoun* said, that with respect to the observations of the hon. Gentleman on the present state of agriculture, he should content himself with offering a few facts to the consideration of the House. When the hon. Gentleman said that agriculture was in the same state with respect to production as thirty years ago, the hon. Gentleman must account for this fact: at present 27,000,000 of people were fed on the soil of great Britain and Ireland — thirty years ago only 16,000,000 were supported on the same surface. Now, the quantity of corn imported was very nearly the same at both periods; therefore the quantity now produced was sufficient to feed 11,000,000 of additional people; and was it possible that this could be done by the agency of that rude agriculture and those barbarous processes which the hon. Gentleman denounced so vehemently? Unquestionably there must have been some change in the processes of agriculture, and some additional quantity of corn sown. But he would add one or two facts from a statistical authority who ranked high among hon. Gentlemen opposite, an authority whom he was sure the hon. Member for Nottingham (Mr. Gisborne) would recognize, he meant Mr. Porter. Mr. Porter told us that there had been added no less than 3,000,000 acres to the cultivation of land within about the same period as the hon. Gentleman spoke of. He also said that in 1801, 10,000 acres fed 4,300 persons; but that in 1836 the same amount fed 5,500 persons. How were they to account for that fact. [Mr. *Wallace*: by the potatoes.] That might be the opinion of hon. Gentlemen opposite; but his (Mr. Colquhoun's) interpretation would be that there had been improved farming in operation to produce the change. It was the fashion he was aware, and one which the hon. Member for Stockport adopted, to denounce the agriculture of this country as barbarous. Barbarous with respect to what—to the agriculture of other countries? Why, the fact was that there was no country in Europe which produced an equal amount of produce. On the square mile throughout Europe, 81 persons were fed; on the square mile in England 232 persons were fed; even in France, with all its advantages, there were only 157 persons on the square mile. Whether, therefore, they looked to past times, or to the other countries of Europe, he thought that the present generation had reason to boast of the agriculture of this country, and if the farmer had reason to feel confidence, if the Legislature were not continually changing the system, if the farmer was not made to feel that they were trying experiments upon him, he could not help hoping that in future times this country would see the same improvements in agriculture that had taken place within the last thirty years. But the hon. Gentleman having dealt thus with the agriculturists, proceeded to speak of the fundholder; and he must say, that if the consolation administered by the hon. Gentleman to the farmer was small, that which the hon. Gentleman held out to the fundholder was still less. He said that the fundholder's best chance, under the change of the Corn-laws, was that a diminution of interest would be accompanied by a great diminution of prices. He would appeal therefore, to the fundholder, and tell him, on the high authority of the hon. Member for Nottingham, that if the Corn-laws were abolished he must see an end to his security. But what would be the position of the manufacturer, the capitalist, the commercial interest, and the shipping interest? A state of confusion would be produced infinitely worse, he would not say than anything the country had ever seen, but than anything that any man could imagine; and this would be the peace and repose which the abolition of the Corn-laws, they were told would bring about. Then he wondered to hear those attacks made on the sordid interests as they were called, that were opposed to hon. Gentlemen opposite on this question; for if, as the hon. Member for Nottingham said, there would be no reduction of prices, and as the hon. Member for Stockport had told the people of Liverpool, there would be no reduction of rents on the abolition of the Corn-laws, where were the sordid interests that were opposed to it? Next, with respect to the wages of the working classes, he must say he never had been able to see how the abolition would ameliorate their condition, for wages certainly did not depend on the quantity of food that could be brought in from foreign countries; they depended on the proportion between the working population and the demand for labour. He could not help remarking upon the argument employed by the hon. Member for Wolverhampton, who had spoken of the 6,000,000 of people, the people of Ireland, who were feeding upon potatoes. Ireland, in spite of the poverty of the food of its inhabitants, was in reality an exporting country in the matter of agricultural produce; and where a country was found to produce food so abundantly as Ireland, and it was also found that its people were suffering from the want of food more seriously, perhaps, than any other people of the empire, he could not help thinking the causes of their distress were to be found in their habits, in the rapid growth of their numbers, and in the consequent competition for labour. Colonel Torrens, a political economist, to whose opinions hon. Gentlemen opposite would be disposed to pay respect, asserted that whatever might be the result of the alteration of the Corn-laws, such a measure would not produce any improvement in the condition of the working classes, or in the rate of wages. They ought, therefore, to pause before they assented to such a proposition as that now before the House. He admitted, that if the introduction of foreign corn would extend the manufactures of this country, that would be a great benefit; but he confessed that he had a great distrust of the probability that any great amount of our manufactures would be taken in return for foreign grain. If hon. Gentlemen held that a very small diminution of prices would take place, then the quantity imported would only be small. M'Culloch stated the importation to be expected from Europe was but small; and the hon. Member for Bath had declared himself a sceptic in his belief of those assertions which had been made of the vast amounts of corn ready to be brought to the British market from America. If this was true—if the amount of corn to be imported was small, it was clear that the advantages likely to arise to the manufacturing interests would be proportionally limited, and then, whether they looked at the interests of the manufacturer or the agriculturist, the change was one which could not be desired. This, however, he was persuaded, such a change as was advocated would do—it would make a most rapid and most violent change in the price of corn—a change upon which no one could calculate with any degree of certainty—which would have the effect of deterring the farmer from those active exertions so important for the maintenance of our national prosperity. Before he sat down, he would refer to an observation which had fallen from the hon. Member for Nottingham — that the Anti-Corn-law League was not in favour on that (the Ministerial) side of the House. He must say, that he for one, thought, that they ought not to object, and he did not, to the fullest and freest discussion on this subject; for discussion, he believed, would lead to the elucidation of truth, on whichever side it should prevail. But then, he said, that the discussion should be full and fair, unaccompanied by personalities; by abuse, either general or individual; by the imputation of motives, which above all he thought was most unfair; and seeing the hon. Member for Stockport (Mr. Cobden) in his place, he must say, that he did not think that those just limits and bounds of discussion had been adhered to by him in the course of the agitation which had taken place on this subject. He was not going to touch upon that grave and serious matter which had been alluded to upon a former occasion, but he must say that the hon. Member—whose talents in and out of the House they must all appreciate—at whose presence in that House, from his experience and ability, they must all rejoice—when that hon. Member talked of the House of Commons as a set of men who were unworthy and unable even to perform the duties of a tallow-chandler's shop—when he said that they were a set of boys without experience, unable to conduct the commonest mercantile affairs—when he thus spoke of the assembled Legislature of this country, embodying as it did the highest experience, talent, and statesman-like wisdom on both sides of the House, he said that that was not the sort of language which should be employed. And more than this, when the hon. Member held up the aristocracy of this country, as he had done, as a set of men so base, and so worthless, that they were worse than the French noblesse — when he said that if they were turned out of their native country they could not do what the French nobility had done—they could not resort to their own acquirements, or to teaching dancing, as the French noblesse had done, to maintain themselves, because, he said, they were only fit to be grooms and jockeys; when the hon. Member said this of an aristocracy which numbered among its names those of Chatham, and Grenville, and Grey—when he thus spoke of an aristocracy which had placed the noble Lord opposite, the Member for the City of London (Lord John Russell)—by all admitted to be the ablest and most acute statesman on the opposition side of the House, in the proud position which he held, which had given to the Ministerial side such men as the noble Lord the Secretary for the Colonies (Lord Stanley) and the noble Lord the Member for Dorsetshire (Lord Ashley)—a nobleman as remarkable for his philanthrophy as he was distinguished for his talents; when the hon. Member compared these men to the basest aristocracy which Europe had ever seen—the most corrupt, the most demoralised—he said, that the hon. Member had exceeded the limits of fair discussion—that he had resorted to language which was not likely to lead to the honour of any cause—language which, considering the high authority of the hon. Member in this country, ought not to have been used on account of the great responsibility which attached to him in consequence.

Viscount *Howick*: I have so frequently had occasion to address this House on the subject now under discussion, that it would be an unwarrantable demand, Sir, on your patience if I now entered upon a general inquiry upon the policy of the Corn-laws, and repeated the arguments which I have more than once had occasion to press upon the attention of the House. I shall confine myself in the few observations which I shall make, on this occasion, almost exclusively to two points—first, the form of the motion—the form in which the question is now brought under our notice; next to the peculiar circumstances of the times, on which we are now called upon to pronounce judgment. First, as to the form of the motion. I confess that the form of the motion is not such as I should have adopted myself. I adhere to the opinion, which I have already frequently expressed in this House, that the best course which we can take on this difficult subject, is to impose on the importation of foreign corn a small fixed duty. I adhere to that opinion, not because I think the agriculturist is entitled to protection, because I never will advocate what is called protection, in favour of any interest; for I agree with the hon. and learned Member for Bath, that you should apply to agriculture and to manufactures, and to every sort of commerce, the same general principle, and that you should put an end, as rapidly as circumstances will allow, to that system which is, in point of fact, a robbery of the community at large, under the vain imagination of doing good to some particular class—not, I say, because I am in favour of protection, but upon other grounds—because I think a moderate, or I should say, a small fixed duty, is the best solution of the existing difficulty. I adhere to this opinion, first, because I think upon the whole it would be the fairest compromise between conflicting opinions, for under the popular form of Government under which we live, I think that however strong our own opinions on various points may be, it is frequently the wisest course not to insist upon carrying out our own views to the full extent, but to be content with a reasonable compromise, with those who entertain opposite opinions to our own. I am not prepared to claim infallibility for myself, nor do I suppose that those who oppose me will be inclined to assert their own invariable freedom from error, and it is on this belief that I have come to this conclusion. But I am also in favour of such a measure, because I believe that it would be a valuable means of adding to the revenue of the country. I am sure that while it would scarcely have any sensible effect upon the price of corn, it would produce a revenue to the country, and that it would be the best of all taxes —a tax which would not be felt by the consumer, while, at the same time it would be highly productive to the Exchequer. But while I entertain that opinion, I am not the less prepared to vote for the motion which is now before the House, and, in taking that course, I think I am guilty of no inconsistency. For what is that which we are called on to vote? The hon. Member for Wolverhampton proposes:—

> "That this House shall resolve itself into a committee for the purpose of considering the duties affecting the importation of foreign corn, with a view to their immediate abolition."

Now, so far as regards the existing duties on corn, no man can entertain a stronger conviction of the expediency of immediately repealing them than myself. If it were so to happen that on this occasion we should find ourselves in a majority—if the House were, on this motion of my hon. Friend, to resolve itself into a committee, and if in that committee he were to propose and carry resolutions in favour of the repeal of the existing Corn-laws, I believe that it would be then quite consistent with the forms of this House that any Gentleman should get up, having cleared the ground by the demolition of the existing law, to propose resolutions for the imposition of such a fixed duty as he should think proper. I say, for one, that if no other Member of this House were prepared to do so, I myself should be prepared to make a definite proposition on this subject. I think, therefore, that, in supporting this resolution, I am, in fact, supporting a resolution which is in favour of the abrogation of the existing law, leaving it open to future consideration what is the system which shall succeed to it. I do not conceal my own opinion from the House, but I will say this, that even if I were convinced that, having abolished the existing Corn-law, it would be impossible to persuade the House to concur with me —if I were satisfied that the carrying of this resolution would lead to what is called free-trade in corn, I should be still prepared to vote for the resolution, because it is my deliberate opinion that—though I agree with the hon. and learned Member for Bath, that the abolition of the Corn-laws would not be a panacea for all the existing evils of the country—though I believe that there are many other measures which ought to be adopted, with a view of allaying the prevailing distress of the country—yet I am no less firmly persuaded that this is the first and most indispensable step which ought to be adopted. I do not say that the alteration of the Corn-laws will produce an immediate effect, but I do say that without it every other measure which you may carry will prove matter of disappointment. I am sure that unless we take this preliminary step —unless, by an alteration of the Corn-laws, we do what lies in us to assuage the existing irritation in men's minds on this subject, and also to give that free career to industry which industry requires, every other measure which we take will prove insufficient in correcting the evils described on all sides of the House to be so appalling. This is my opinion, and therefore I say here, as I have said elsewhere, that if the alternative is put before me of retaining the existing Corn-law as it stands, or of abolishing altogether all duties on corn, I for one am prepared to abolish all duties on corn, I did not flinch from expressing this opinion when a candidate for the representation of an agricultural district, and all the reflection which I have since given to the subject, confirms me in the opinion which I then expressed. These observations, I think, are sufficient to defend me against any charge of inconsistency. But before I leave this part of the subject, I think it right to say further, that I am prepared to vote for a fixed duty on corn; but I confess that when I look to the state of the country—when I see how great are the evils arising from the continuance of this struggle—how rapidly the time is going in which, in my opinion, such a measure would be accepted as satisfactory, I am bound to add that though now I am prepared to vote for the imposition of a fixed duty, I do not pledge myself that I will hereafter adhere to such a course. I do not know that any one could have anticipated the progress of events which have proceeded with so much rapidity within the last few years, and, looking to this, I can anticipate a future time when compromise on this subject must be regarded as neither safe nor practicable; and I think that gentlemen connected with the landed interest would do well to consider that there may be now many persons who are prepared to vote for a remission of all duties on corn, who would not object to such a compromise. But it is doubtful how long such a feeling will continue. There is only one other point connected with this part of the subject with which I will trouble the House, namely the peculiar circumstances of the time which calls upon us to consider this subject. I do not think that any reflecting person, looks to the state of the country, and to the deep and widely spread feeling of dissatisfaction which prevails, without experiencing some apprehension and alarm. Does any man doubt that there is daily spreading among the middle classes of this country a feeling that they are treated with injustice, and that with the view to the interest of a particular class, this law is maintained, which sacrifices the interest and well being of all other classes of the community, and exposes them to injury and injustice? Can any man doubt that such a feeling is rapidly spreading among the middle classes? You may tell me that the prevalence of such a feeling is owing to the acts of agitators, and that there are designing men, and that, although their acts may produce great effect, you cannot yield to agitators. Is this the case? Suppose I should agree with you in this assumption, for the sake of argument, and that those persons who so act are influenced and actuated by improper motives and that these designing men, who make such representations, are not to be listened to by you? I would ask any man interested in agricultural pursuits whether, recognising that right of discussion which prevails in this country, and the publicity that is consequent upon it, he can prevent representations going forth to the people, and those representations gaining credit to such an extent, as is calculated to produce the most serious consequences. I presented last evening a petition from my own constituents, the language of which I confess struck me very forcibly, and it was expressed in very brief and forcible terms. They said in this petition that the obvious object of the Corn-laws was to render corn scarce and dear, and that their being enacted and continued was contrary to common sense, they therefore called upon the House to repeal them. Will any man deny that, if he regards the matter in a common sense point of view, the Corn-laws were apparently enacted to restrain the importation of foreign corn, and that therefore their object is to render corn dear. I say that it is undoubtedly the object of these laws to prevent the importation of corn, and, therefore, *pro tanto* to keep up prices, and to render it dear. This, I say, is the view that would be taken of the matter in the first flush. You may reply, "this indeed is the apparent intention of the law, but it is not its real object, but that in the long run the interest of the consumer as well as the interests of the producer require their continuance." I know that Gentlemen opposite will not agree in the view that I take of the matter, but I will suppose that the argument that I have just put, and which I know will be supported by many Gentlemen opposite is the correct view of the case, and that by some elaborate process of reasoning it can be shown that the object of the law is not to make corn dear, but, I will venture to say, that no man in his senses can say that this is not in the first instance and first view of the law its apparent object. But, in the present temper of the people of this country, argue the matter as you like, and as skilfully and profoundly as you can, you cannot satisfy the people that the object of the law is not to restrict the supply of corn, and thus render it dear, and that those who have the main influence in legislating in both Houses, have a direct influence in restricting the supply of corn, and in making it dear. However just your argument may be, and however well founded it may appear, be assured, you never will be able to persuade the people that there is not some sinister interest at the bottom of your support of those laws. I agree with the hon. and learned Member for Bath that this is a mistaken view of the case, and that the fact is, that gentlemen who have land in the country are misled by an unconscious bias when they reason on a subject in which their own interests are involved. For my own part I believe that they honestly and sincerely entertain the opinions which they express on this subject; but I ask any one whether they will convince the people of this country that this is the case, and that, after the often repeated arguments that have been urged on both sides, they can hope to convince the people that this is the case? If not, and if the persuasion is daily gaining ground, that the middle classes are treated with injustice, and that this is done for the sake of only one particular class—if such an opinion be rapidly gaining ground, I ask any man of reflection, and putting aside all party considerations, whether this must not be attended with the most serious danger to the institutions of the country? Can the institutions of the country be safe if they do not stand in the confidence of the people, and is anything so calculated to undermine them as the prevalence of such a belief? Can anything tend more to alienate the different classes of the community from the Legislature, and can anything, if this be allowed to go, be attended with more fatal consequences? I think that every hon. Gentleman will agree—whatever may be his peculiar views as to the policy of the Corn-laws—that the continuance of the present struggle is an unmixed evil, which, if allowed to continue, must end in consequences of the most serious kind. And can you put an end to it? No one, I presume, can suppose that you can stop it while the Corn-laws remain as they are. No man in his senses can suppose that any Government, or any combination of men, be it as powerful as it may be, can put a stop to the prevalent feeling of discontent, or put an end to the demands for an alteration of the law. Both the feeling and the demand must continue while you endeavour to maintain the law as it is on the statute book. Before coming to a determination to maintain this struggle, I think it would be well for those gentlemen who, like myself, are deeply interested in the well-being of agriculture, and in the landed interest to well consider these two questions. In the first place, whether you can hope to maintain the present law —and in the second place, if you can, whether the object in view is worth contending for? Now, taking the latter question, as to whether the object is worth contending for. You recently altered the Corn-laws; now I ask whether it has been attended with any beneficial result to the landed interest, or whether they have not most deeply suffered since this took place? I believe that there is no difference of opinion as to the intensity of the distress which now prevails smong the agricultural interest. Indeed, last night the right hon. Gentleman, the Vice-president of the Board of Trade, declared that the agricultural interest was actually in a worse situation than it was in 1835. In fact the farmer, in a comparatively scarce year, is only receiving the prices of an abundant year, and yet the right hon. Gentleman said that he did not believe that this arose from the operation of the Corn-law. But I ask, is not the same language heard under all Corn-laws? From 1815 you have adhered to a system of protection, and I ask landed Gentlemen whether, during the whole of that period, they have not constantly been mocked, under the operation of these laws, with prospects, of continued prosperity which they never obtained. After going on for a long time, the law of 1815 was condemned by most Gentlemen who had at all reflected on the subject. The Legislature abolished that law, and another law subsequently also condemned by its advocates and promoters, was then passed. The right hon. Baronet who is now at the head of the Government was the representative of the Government in this House when the act of 1828 was passed. This, we were told, was to remedy the act of 1815, and that agriculture would be better off under its operation than it had hitherto been. I dissented from this view of the subject, and voted with the hon. Member for Montrose, and a small minority, for a fixed duty. This measure, however, passed; and this law was in force for some years when the right hon. Baronet, the author of it, came forward last year and told the House that it could not be longer maintained, as it worked ill for both agriculture and the consumer, and he, therefore, proposed a change. A change took place, and what has been the result? Is the condition of agriculturists improved? Decidedly not. [*Cheers.*] I understand the nature of that cheer, and that the hon. Gentleman means to imply that too much was done last year in the way of concession; but I think that the hon. Member was most ably answered, by anticipation, last night by the right hon. Gentleman, the Vice-president of the Board of Trade, who said that the lowness of prices was not caused by the change in the law, for that if the law had not been altered the price of corn would have been lower than it now was or had been during the year. The right hon. Gentleman said very fairly that the old law held out a most injurious inducement to the importers of corn not to introduce their corn into the market until the last moment, and until prices had reached the highest range, and that, therefore, if the old law had been in force instead of the measure of last year, the corn would have been brought in in a mass instead of gradually, as the right hon. Gentleman said was the case last year. The right hon. Gentleman said, that if the old law had been in force last year, that only one-eighteenth part of the quantity would have come into the market at the price at which the bulk of the foreign corn was brought into it under the new law. This, I admit, is a valid argument, and I concur with him that the change in the law is so far advantageous to the landed interest, and that there is not near so great an inducement as formerly to the importer to keep back his corn from the market until the farthest point has been reached. But I wish to know, if this is to be taken as a well-founded argument for the diminution of the duty, whether it be not an equally well-founded argument for a further reduction of duty. If hon. Gentlemen opposite attended to this part of the speech of the right hon. Gentleman, they would find it full of instruction. The right hon. Gentleman took a certain period of time previous to what he called the week of the greatest delivery, when the extreme point is attained, and he said that in 1841 only 45,000 quarters was imported, while in the week of the greatest delivery 1,914,000 was imported. The case last year was very different, said the right hon. Gentleman, for as much as 850,000 quarters were entered for introduction previous to the week of the greatest delivery, while in that week 1,354,000 were entered. This large influx of corn took place, be it remembered, just previous to the harvest, and coming in in such a way, must be very injurious to the producer. If the argument of the right hon. Gentleman is a just one in favour of the measure of last year, does it not follow that you should not hold out inducements to the importer not to keep back his corn until the week of the greatest delivery. No doubt, while the state and the produce of the harvest is uncertain there is an inducement to the importer to keep back his corn from the market; but while you unduly strengthen these inducements, you make him carry too far what was a legitimate inducement before. The right hon. Gentleman, in comparing the present law with the former law, was only enforcing the arguments, with much greater ability than I could, which I and others have repeatedly urged upon the attention of the House. The force of this argument is to show the inexpediency of holding out these artificial inducements to persons to keep back their corn until a great rise in prices took place; while no doubt the anticipations as to the future state of the harvest would be quite sufficient. If, by your system of fluctuating duties, you add to this inducement to keep back the supply of corn from the market, you derange the whole equilibrium of the trade, and produce that state of things which the right hon. Gentleman said occurred at that period, which he so happily described as the week of the greatest delivery, when prices obtained their maximum, and when the farmer was going to introduce his new crop into the market. If the right hon. Gentleman was right as to his view of the operation of the law, he should at once use his best exertions to get rid of this artificial system of fluctuating duties, and should endeavour to restore the trade in corn to its natural state, and not make the duty vary according to the prices in the market. I contend, therefore, that it is for the advantage of gentlemen connected with the landed interest to get rid as soon as possible of a system which they suppose is advantageous. But I ask, do gentlemen really suppose that this struggle can be maintained, and that this law can be continued, when there is a constant progress of opinion, and when there is a certain and irresistible tendency to change in the whole system? And if we look back for a few years, circumstances will clearly show this. In the year 1828, there was only a small minority of twenty-seven for my hon. Friend the Member for Montrose's proposal for a fixed duty of ten shillings. But what is the state of feeling in the House and the country on the subject at present? If we look on the state of public opinion that was indicated by the fact of the great number of petitions, most numerously signed, that have been presented to the House on this subject from almost all the important towns in the country, what an indication of public opinion is manifested? Again, the House is probably aware that in many large towns requisitions have been got up by the constituency to their representatives, calling upon them to support the motion of my hon. Friend the Member for Wolverhampton. Such a requisition has been forwarded to my hon. Colleague and myself, and it is signed by two-thirds of the number of electors that ever voted at an election for that place. This strong expression of public opinion on the part of the inhabitants of Sunderland did not emanate from a body wanting in intelligence or public spirit. A similar feeling has been strongly shown in every place connected with the trade and manufactures of the country, and it is not confined to them, but is daily spreading among the tenantry of the country. In the county which I formerly had the honour to represent there exists the strongest indications on the part of the tenantry of a wish for a change in the system, and I believe that indications of the same kind elsewhere present themselves. I ask you therefore, whether common sense or prudence should not induce you to put an end to this struggle, and take warning by the past, remembering that late concessions are always unsatisfactory, and that if you are anxious to make terms that you should do so at as early a period as possible. I would ask Gentlemen opposite whether they feel secure in following the right hon. Baronet. Look to his previous conduct? Has it not ever been his course that when he has felt it necessary to consider the great question of the time being, that he has been a day too late. Was it not the case with the Catholic question. Was it not so with the great question of Parliamentary Reform, when he refused in the first instance to make any concession. Was it not so with the Corn-law in 1828, when I believe the country would have been grateful for a fixed duty of 10*s*., and would have accepted it, I believe, as a permanent settlement of the question, and we never should have had the matter agitated as it has been. In 1841, I believe, the fixed duty of 8*s*. would have been thankfully received. I am persuaded that this would not be the case now, but I believe that a lower amount of duty—for instance, of 4*s*. or 5*s*., would be still accepted. But I warn you, if you refuse the present opportunity of settling the question, by the adoption of such a step, you will, if you delay, not be very likely to be able to settle by continuing any duty whatever. I tell you, if you endeavour to continue the present law you will have a repetition of what took place on the Catholic question and on that of Parliamentary Reform, and you will have the right hon. Baronet, as he did with respect to the act of 1828, make the alteration when it suits his own purposes. You must have him, although you place little or no confidence in him; for you are well aware that without him you would be powerless to resist. Depend upon it he upon whom you rely will throw you overboard; and in pointing out to you the necessity of changing the system, he will tell you that it is better to do the thing handsomely; and, as he did in the Catholic question, do all at once for the settlement of the question. Depend upon it, on the occurrence of the first bad harvest, this will be the result. These are the reasons which induce me to support the motion of my hon. Friend.

Mr. *Blackstone* said, that seeing the difference of opinion which existed amongst the various speakers who had supported this motion, including the hon. and learned Gentleman who had brought it forward, the hon. Member for Nottingham, and the noble Lord who had just sat down, all of whom had declared that they had different objects in view, he could not think that any practical result could follow the proposition for going into committee, which would embrace such heterogeneous opinions. The noble Lord who had just sat down was anxious for a moderate fixed duty below that which had been proposed by the noble Lord the Member for the City of London, and talked of a fixed duty of 5*s*. as one which would be accepted by the nation at large; and the noble Lord's reasons were, that such a fixed duty would add greatly to the impoverished finances of the country, and would raise an ample revenue to meet the exigencies of the Crown; but what amount of quarters of foreign corn was the noble Lord anxious to introduce by these means into this country? Why, if 4,000,000 quarters were imported at a 5*s*. fixed duty, the noble Lord would only augment the revenue by 1,000,000*l*. perannum. Under the existing law he believed that last year there had been raised as stated last night by the right hon. Gentleman the Vice President of the Board of Trade, a sum of about 1,500,000*l*. or 500,000*l*. more than the noble Lord could expect from his fixed duty. He had been rather anxious to address a few observations to the House, after the speech of his right hon. Friend the Vice President of the Board of Trade, because his right hon. Friend had been kind enough to allude to a reply he had made to some of his statements. He did not know whether his right hon. Friend was now in his place, but if so, he begged to congratulate him on the altered tone of the speech he made last evening as compared with that he had delivered on the same subject at the beginning of the present Session. He (Mr. Blackstone) had, with some degree of pleasure and delight, heard his right hon. Friend abandon those hacknied expressions about free-trade by which he heretofore had endeavoured to elicit cheers from the hon. Members on the opposite side of the House, and declare at last that the agricultural interests were in a great state of depression. His right hon. Friend had taken that different tone and had alluded to the alarm and fearful state of the agricultural interests. The right hon. Gentleman had in eloquent terms told the House that the depression was great, and that the prices of agricultural produce and commodities were lower than they had been for the last sixty years. If his right hon. Friend spoke the sentiments of her Majesty's Ministers, it would seem that they were at last alive to that great interest with which for some time past they had been tampering. He knew not how this had arisen, whether it were because they had found foreign countries unwilling to alter their tariffs, or whether it was because they had found such a spirit and feeling prevailed in the country on the subject, as must command the respect and attention of any administration. But his right hon. Friend had stated, and from that statement he had dissented at the time it was made, that the corn-law passed last year had produced no depressing effect whatever upon prices, and that prices would have been much lower if the old law had still been in force and operation. His right hon. Friend had stated further, that the new law had stopped speculation. These opinions he denied, and contended that it was the sun which had given the country an early harvest and not legislation, which had stopped speculation and prevented the ruin of the farmers. But looking to facts, he begged to ask what had been the intentions of her Majesty's Government when they passed the measure of last year? The right hon. Baronet at the head of the Government when he proposed the Income-tax, in the same breath told the House and the country that he was by his other measures reducing the prices of all the necessaries of life—corn, meat, and other productions —and he remembered well, that when the right hon. Baronet brought forward the tariff, he congratulated himself in these terms:—

> "It is said that in making these reductions and inviting competition, we are beginning at the wrong end. My answer is, in the first place, we have reduced in a material degree the prices of the necessaries of life; and if any man will compare the duties this day payable on foreign oats, wheat, and barley, with those payable if the old law was still in force, he must admit that there has been a very great diminution."

He contended, then, that it was the intention of her Majesty's Government to reduce the price of corn; and that intention had been carried out by the operation of these measures. He was not inclined to enter into a discussion of the harsh phrases applied to the agriculturists by hon. Gentlemen opposite. Though he widely differed in opinion from those hon. Gentlemen, he would not lend himself to such expressions as they had used; on the contrary, he desired to argue the question calmly, and to do every hon. Member the justice of believing that his opinion was conscientiously formed: while he hoped hon. Members would apply the same rule to the opinions he entertained. It was said they had now got wheat at 45*s.* a quarter, but their lands were not gone out of cultivation. It was not likely that a fall of prices in one year would cause the lands to go out of cultivation; but if the price of wheat were permanently reduced the heavy and poor soils must be thrown out of cultivation, and many labourers in consequence would be thrown out of employment. The hon. Member for Salford opposite was reported in the *Manchester Guardian* to have stated at a meeting last year with regard to this subject,

> "Now, supposing a million of acres of land were thrown out of cultivation, a tax of 4*d.* a quarter on the foreign corn imported would pay the wages of all the labourers thrown out of employment."

And yet the advocates of a fixed duty asked for a fixed duty of 8*s.* a quarter on corn. [Mr. *Brotherton*, "I never said it,"] The newspaper in which the hon. Member was reported to have made this statement was in the confidence of the Anti Corn-law League, and, therefore, he had concluded it to be correct. He would, however, of course, accept the hon. Member's repudiation of the report. The noble Lord (Lord Howick) who had just spoken had stated that the tenant farmers were in favour of a free trade in corn. He felt bound to state that there was some degree of truth in this. They did not hold this opinion from any desire of having a free trade in corn, and of having all protection removed from agriculture, but he feared it was from another spirit, which he was afraid was now deeply rooted amongst the agriculturists—that the change affecting their interests made by her Majesty's Government had been so great that they looked to the future in a state of the utmost despair, and conceived that there was so much doubt as to the line of conduct which her Majesty's Ministers would pursue hereafter that they would rather at once see the end come than wait in suspense and die by inches. It was probable that want of confidence in her Majesty's Ministers had given rise to this opinion. There was another feeling also strongly growing up amongst the farmers, which he deeply regretted—that they had been deceived in their attempts to save themselves from destitution by the resident gentry and nobility—the landlords, and those to whom they naturally looked up. The farmers had not only met with no support when they had looked for it from the landed gentry, but had been treated with every possible coldness and neglect. This was a deep-rooted feeling, and had given rise to the sentiments expressed at the meeting at the county town of Hertford. The same feeling was visible in Berkshire. In the petition sent up from Wallingford in favour of protection to the farmers, he blushed to say that hardly a single magistrate had affixed his name to it. This was a melancholy contrast to the feeling exhibited when the country had been appealed to on the same ground at the last general election. The magistrates and gentry had then been forward to come and turn out the Administration which had shown such extreme hostility to the landed interest, and had then been ready enough to urge on their tenants to the same course; but now the case was different; the farmers of the country were now acting for themselves. He held that to be most disastrous. He saw on the Treasury bench the right hon. Baronet the Member for Kent. In former years that right hon. Gentleman would not have deserted the farmers' interest. He trusted that the feeling now evinced by the agriculturists would be a deep warning to her Majesty's Ministers, and show them that though they might stifle the voice of the gentry, yet the voice of the farmers, and those who employed the agricultural labourers, would be heard. They were now acting in opposition to those to whom they had formerly looked up, and he trusted that this would be an instructive lesson to the Ministry.

Mr. *Wallace* had heard with much surprise the speech of the hon. Member who had just sat down; it was a manly and a true speech, such as he had never heard from the Tory side of the House before. At last they had got a true and manly speech from that (the Ministerial) side of the House, and he thought the hon. and learned Member for Bath had done good by his gratuitous advice to the House in recommending to them temperate expressions, though he (Mr. Wallace) thought that hon. and learned Member needed the advice himself. He was no party to a fixed duty on corn; first, because he believed there ought not to be any such fixed duty; and, secondly, because he believed it could not be got. The people of this country were determined to have a free trade, and they sought no protection whatever. He had met a laird of Argyleshire, a constituent of the hon. Member for that county (Mr. Campbell), and had asked him how he was getting on; and he replied that they were all ruined by the tariff, and that he should not vote for that hon. Member again. He should give his hearty support to the motion of the hon. Member for Wolverhampton.

Mr. *Borthwick* moved the adjournment of the debate.

Mr. *Campbell* said, that having been so pointedly referred to by the hon. Member for Greenock, I feel I am called upon to interpose for a moment, merely to say that I do not know, neither do I care, who the Argyllshire laird is who made the remarks to which the hon. Member had alluded. For my part, I can only say, that I am glad that any tenantry of mine should judge for themselves on these subjects. I will state what is the impression amongst my constituents on the question of free-trade. I may tell the House that mine is peculiarly a breeding county. When the right hon. Baronet at the head of the Government brought forward his tariff, my constituents, who rear black cattle in great numbers, expressed much alarm, and requested I would oppose the Government proposition. I felt assured the tariff would not have the effect anticipated, and being so persuaded, I answered the appeal of my constituents by saying, that I could not vote according to their opinions. But this year, these very men admitted they were wrong, and that I was right. They now acknowledge that the success of commerce is the best security for agricultural prosperity. I cordially supported the right hon. Baronet in the measure which he brought forward—my only regret being, that he did not go further. I say the price of cattle was quite enormous. It was a crying shame to this country. I looked upon it as a stain upon a Christian country that the great article of food should have reached the extravagant and disgraceful price of 8*d.* and 9*d.* a pound. This I say, though deriving every farthing I have from land. And, further, if any sacrifice were necessary to secure the comforts of the people in this respect, I should not hesitate to make it. With regard to the anticipation of a repeal of the Corn-laws, I differ altogether as to the effect of such a step, from those around me. I have no fear whatever of the repeal. I am confident that in a few years we must see that repeal, and, if gradually effected, I am prepared for it. I only fear the immediate and total repeal. I think the effect of such a step would be to paralyse trade; but I confidently look forward to a modified system of repeal. I do not anticipate from such a change any depreciation in the value of land. I think a repeal of these laws would be the means of increasing the energies of the agricultural body. Farmers would see, that quantity of produce must make up for the lower quality of price, or they must raise more corn to have the same amount of money. I am satisfied that the change would, on the whole, greatly benefit England. I am satisfied, that the labouring population would be greatly benefitted by it. The agricultural system must be changed. I have seen in this country noble fields ready for the sickle, which a puff of wind would injure, and two or three labourers cutting away at a corner. Such is the slovenly system pursued. If farmers had a little more difficulty in paying their rent they would display more energy. I have no hesitation in saying, that the industry of the tenantry of England would be greatly increased, if they trusted more to their own recources, and did not look for securing a price for their produce to protection. These are my humble opinions, which I should not have troubled the House with, if I had not been challenged. I can only congratulate the right hon. Baronet on the success, so far as he has gone, of his free-trade principles.

Debate adjourned, and the House adjourned at a quarter past twelve.

HOUSE OF LORDS,

Thursday, May 11, 1843.

MINUTES.] BILLS. *Public.*—1ª· Queen's Bench Offices. 2ª· Testimony in the Colonies.

Private.—1ª· Faversham Navigation.

Reported.—Newport (Monmouth) Gas; Norland Estate Improvement.

PETITIONS PRESENTED. By the Earl of Radnor, from Arbroath and Othery, for the Total and Immediate Repeal of the Corn Laws; also from W. H. Stuckey, for Inquiry into his plan for Filtering Water.—By Viscount Strangford, from the Clergy of East Kent, against the Tithe Commutation Act.—By the Marquess of Clanricarde, and the Earl of Clare, from six places, against the Irish Poor Law.—By the Marquess of Lansdowne, from the North Wilts Reform Association, against the Registration of Voters Act.—By Lord Cottenham, from Chester, against the Bankruptcy Act.—By the Earl of Stanhope, from Bucks, for Protection to the Industrious Classes of the United Kingdom.

REPEAL OF THE UNION — MISREPRESENTATION.] Lord *Brougham* said, that it was necessary for him to correct a gross misrepresentation concerning a noble Friend of his, formerly Lord Althorp, who had been referred to on that question which was so ably brought before their Lordships by the noble Earl (the Earl of Roden) on Tuesday evening. It had been represented, that his noble Friend had declared, that if all the Irish Members were for the repeal of the union, he should be for granting that repeal;* that was to say, assenting to the dismemberment of the empire. Never was there a more entire or a more gross misrepresentation, and he had the authority of his noble Friend himself, who was unable to attend in his place, to say so. He should be sorry, after hearing such a statement, that a single day should pass without setting it right. It implied that his noble Friend had tempted the Irish Members to come over to the repeal by holding out to them the hope of succeeding in such a detestable, if not grossly absurd scheme. It was almost impossible to conceive how such a fancy came into existence; but as there was generally some foundation for every such fabrication, however false, in this case the foundation was this—some hon. Member, when his noble Friend had made the declaration that civil war itself would be preferable to the dismemberment and destruction of the empire—some hon. Member had put the case, that supposing all the Irish Members were favourable to the repeal, and asked what his noble Friend would do then? His noble Friend had given the only answer which a statesman could give to such an absurd question. His noble Friend had said, he would wait till that time came, and then he would tell the hon. Member what he would do. His noble Friend probably remembered what happened as to the union with Scotland. Ten years after the union with that country, the Scotch Members had voted for the repeal of the union. It happened, that they were aggrieved by some tax. [The *Lord Chancellor:* "The malt-tax."] And they thought it right to vote for the repeal of the union. But if all the Irish Members were, on account of the Poor-law, or on any other account, to imitate the Scotch Members on Lord Seaford's motion, and vote for the repeal of the union, the consequence would be that all the English, Welsh, and Scotch would only stand more firmly together, to preserve unimpaired the integrity of the empire.

Lord *Campbell* agreed with all the sentiments of his noble and learned Friend, but he rose to set him right on an historical fact. The Repeal of the Union with Scotland had been moved in that House, and lost by only a majority of one.

The Earl of *Wicklow* said, that nobody in his senses could suppose that Lord Althorp had ever given so absurd an answer.

CORN LAWS — BUCKINGHAMSHIRE MEETING.] Earl *Stanhope* said, that in presenting, in pursuance of the notice which he had given, the petition from the county meeting recently held at Aylesbury, it was not his intention to trouble their Lordships at any length; but he trusted that he might be permitted to make a few observations, in justice, not only to the petitioners, but also to the subject, which was of extreme and paramount importance. This petition was the more justly entitled to be considered, as the real, genuine, unbiassed expression of the opinion of the farmers of that county, in consequence of a circumstance which, in all other respects, he must lament, namely, that the meeting from which this petition proceeded, was not suggested, or supported, or presided over, by any of the great landed proprietors of Buckinghamshire. It had, therefore, been shown by this memorable example that the farmers of Buckinghamshire would not act with that servile submission to their landlords which had so frequently, but so unjustly, been charged against them, and that they did not consider the Corn-law to be what it was constantly, but falsely, represented to be, a landlord's question, in which the tenants had no interest whatever. The Corn-law was primarily a labourer's question. It had immediate, and direct, and most important influence, both in the employment and the remuneration of labour. One of the first as well as the most calamitous effects which arose from a depression of agriculture was a diminution in the means of employing labourers, and a decrease in the amount of wages, and this had recently been the case in different counties in which the labourers received a scanty pittance of 9*s.* a week, but which pittance, scanty as it was, had now been reduced to 7*s.* a week. He held that the labouring classes whether employed in agriculture or in any other occupation, had an undoubted right to demand full and effectual protection of their interests, and that it was not only their right, but their bounden duty to oppose, by all legal and constitutional means, any measure which would tend either to deprive them of employment or to diminish their wages. This was also a farmer's question, for those who employed their capital, their skill, and industry, in the cultivation of the soil, had as good a right to some return for their capital as if they had embarked it in cotton mills, or any other manufacture. He said, that they had a better right, inasmuch as they contributed—which the manufacturers did not, in any fair or just proportion—to the support of those workmen who might be deprived of employment, whether through the introduction of new machinery or from depression of trade, and because their distresses could not be attributed, as was the case in manufactures, to over speculation and over production, which naturally tended to glut the market. But were it solely or exclusively a landlord's question, he should wish to know whether a landlord who invested money in land and farm buildings had not as much claim for a return for his capital as if he had invested it in the public funds; and their Lordships must be aware that if rents were not paid the dividends would cease to be paid also. Notwithstanding this community of interests in the agricultural classes, this petition was not adopted unanimously nor without free discussion, nor without having heard the arguments of a noble Earl who was an advocate for free trade and of an hon. Baronet who was in favour of protection. That meeting exhibited a striking contrast to those held by the advocates of free trade in corn, where no freedom of discussion existed and where no speech could be delivered in opposition to the views there entertained, without the speaker either being silenced or ejected by the chairman. But this objection was taken. It was said, this meeting ought to have taken place last year, when the Corn Bill and the new tariff were still in progress. He would fully admit that such might be the case, but he doubted whether, at the time those measures were in progress, the agricultural classes in general were sufficiently enlightened on the subject. Now, he (Earl Stanhope) said, that at no period ought they to be so active and so energetic in their own defence as at the present moment. If the meeting had been held last year, the opinion then expressed would have been founded on a just and reasonable anticipation of the results which the measures now before Parliament were calculated to produce; but in the present case they had proceeded on the bitter experience of destructive and disastrous effects of those measures. Another assertion was, that the meeting was premature. Could it be premature to hold a county meeting in defence of agriculture when they knew that a depression of from 20 to 30 per cent. had taken place in all articles of agricultural produce, and when they knew in many instances that no rent for land could be paid except from the capital of the tenant? They knew, too, that tenants who had left their farms were unwilling to take others at any rent, and that with a maximum duty of 20*s.* foreign wheat was now sold at Liverpool at a profit of 3*s.* But this was not all—they were threatened with the introduction of a Canada Corn bill, which, as far as regarded the whole continent of North America, would entirely abrogate the Corn-law of last Session and establish in its place a low fixed duty. It was said that the last harvest was an abundant one. He denied that it was so in the large corn growing counties of Norfolk, Suffolk, Essex, and that part of Kent in which he resided. If the harvest had been abundant could there have been such an importation as three millions of foreign corn. In 1834 the price of corn was as low as at present, but then, for the three preceding years the harvests had been deficient. The present depression of price was solely attributable to the new Corn-law. Those who recommended delay and procrastination, and who thought that county meetings were premature—were they aware of the result which might be anticipated if such meetings should be too long delayed. Amongst the various evils and grievances which now afflicted and alarmed the country, there was not one which might not be remedied by legislative interference, and such being the case, redress could not be refused without the most flagrant injustice, and could not be delayed without imminent danger to all classes of the community; and it required not the gift of prophecy to see if these evils should be left unremedied, and county meetings should then be held, that those meetings would not content themselves with demanding as was done in the county of Bucks, the restoration of the former protection to native industry, but that they would require that organic change in the constitution which whatever dangers might attend it, would still appear to be preferable to the continuance of the present system. It had been said at the Anti Corn-law League, that the speakers at this meeting were the advocates of monopoly. Those who made that assertion were ignorant of the signification of the word monopoly. If any degree of protection, however, moderate, was to be called monopoly, he would wish to know what trade, what occupation in this country did not deserve to be called a monopoly? The two principles on which this petition was founded, were protection to native industry against the competition of foreigners, who paid a much less amount of taxation than we did, and that it was the paramount duty of the Government to provide profitable employment for the people. He had no doubt that these principles, founded as they were in truth and reason, would ultimately prevail over all the flimsy theories of the present age—and that they would be reasserted and resumed in all their original strength, but he believed that could not be accomplished until the evils of the present system should be further demonstrated to the country—and until the country had passed through a series of sufferings greater than those by which any other nation had ever been visited. The noble Earl concluded by moving that the petition do lie on the Table.

The Duke of *Buckingham* begged to give the petition his warmest support. He entertained a firm conviction that the measure of the Government last year had been in the highest degree prejudicial to the agricultural interest, and he was therefore not at all surprised at the demand made by the farmers for that protection to which they justly considered themselves entitled. When he looked back to that measure he remembered perfectly well that he had warned his noble Friends that their measure would be altogether unsatisfactory to all parties; that while it would in no degree satisfy the opponents of the Corn-law of that period, it would inflict upon the farming interest extreme loss and suffering. He had since found no reason to alter the opinion he then expressed; on the contrary, he had become more and more convinced of the accuracy of that opinion, namely, that the alteration of the law, while it satisfied no party, would be greatly prejudicial to the agriculturists. He wished the noble Duke, who represented the Government in that House, would adopt, in reference to the existing Anti-Corn-law agitation, the same firm language which the other night he had, at so timely a period, made use of with respect to another species of agitation which was disturbing the sister country. He greatly wished that the noble Duke, or some Member of the Government would come forward, and at once and distinctly state what were their intentions as to the present Corn-law; and state whether or no it was their purpose to abide by that law as it now stood, and not to suffer any further alteration. Bad as that law in its altered shape was, yet it was better than the free trade which was so loudly advocated; and, at all events, it was in the highest degree desirable that the Government should definitively and explicitly let the agriculturists and the country know what their real intentions were. Before he sat down, he must add one word; the noble Earl had stated that the meeting in question had not been attended by the leading landed proprietors of the county; the fault that it had not been so attended lay with the noble Earl himself, if the noble Earl had communicated his intentions to the gentry of the county, no doubt he would have been supported by the presence of the landed proprietors on that occasion. When a county meeting was called, the noble Earl must be aware that it was usual to communicate with the gentlemen of the county upon the subject previously; but he had reason to believe that, except in one or two cases, his noble Friend had not adopted this course on the occasion in question. The only intelligence which reached the gentry of the county as to the intentions of the noble Earl was through the medium of the newspapers; and the noble Earl must, therefore, lay the blame of the omission he had pointed out, not upon the landowners of Buckinghamshire, but upon the want of courtesy of which, though of course, with no discourteous motives, he was himself chargeable in reference to them. On the occasion referred to, he would add, there was no sort of influence made use of, but every farmer present expressed his opinions boldly and freely. He gave his full adhesion to the honesty of purpose which pervaded that meeting, and he only regretted that, in consequence of the mismanagement of the noble Earl himself, there had not been thousands present, instead of hundreds.

Earl *Stanhope* was delighted at the sentiments expressed upon the subject by the noble Duke. The only reason why he had not applied upon the occasion referred to for the inestimable assistance of the noble Duke was, that he considered he stood no chance of being favoured with his assistance any more on that than on certain other occasions in which he had solicited the co-operation of the noble Duke, in reference, for instance, to the Society for the Protection of British Industry, to which he had unsuccessfully endeavoured to induce the noble Duke to lend the sanction of his influential name. If the noble Duke had not been indisposed to support his (Earl Stanhope's) well-known views, why had he not come to support him at that meeting? For himself he must say, that he did not anticipate the support of either of the great contending parties, until their pockets were thoroughly emptied, which he had reason to believe would very soon be the case.

The Duke of *Buckingham* readily admitted that he had declined the honour of becoming a Member of the society of which the noble Earl was president; but he had done so because he did not think it was likely to be a useful society; and he was not aware that it had yet effected any good; but that was no reason why the noble Earl should suppose if he had invited him in the usual way that he would not have attended and given him his support at the county meeting. No communication had been made, except in a few cases, with the gentlemen of Buckinghamshire. That being the case, as the noble Earl admitted, he must repeat that the county had not been treated very courteously by the noble Earl. He did not mean to charge the noble Earl with discourtesy, but he considered that he had acted a mistaken part on the occasion. If he had called the meeting in the usual way he would readily have attended it.

Earl *Fitzwilliam* asked whether the noble Baron opposite, the President of the Council (who had risen in advance to the Table), were going to speak. [Lord *Wharncliffe*: "No."] What not speak! He must confess himself altogether surprised. What! when the noble Duke opposite, himself once connected with the Government, by whose influence and the influence of whose principles the Government at the late election had been enabled to take such a position had been enabled to return to Parliament a House of Commons, which might be considered, *par excellence*, the landlords' House of Commons, when this noble Duke put to the Government, his quondam associates and protogés, a distinct question as to what were their intentions with respect to a matter in which he and his Friends in the landlords' House of Commons were so interested—considering, too, that it was a question upon a subject now actually before Parliament for consideration, it was really most surprising, most extraordinary, that neither the noble Baron, nor the noble Duke, nor the noble Earl, nor any of the seven or eight Members of the Government who were then sitting on the opposite Benches, would condescend to make the noble Duke who asked them whether they meant to make any further alteration in the Corn-laws, the slightest answer. The noble Earl told them, that in some districts the farmers were quitting their farms in every direction, and would not take other farms, even though they might have them without paying rent. He told them that the miserable pittance lately received by the agricultural labourers of 9*s.* a-week, was being very generally reduced to the far more miserable pittance of 7*s.* a-week. Now, this was surely a frightful state of things. And here he would beg to suggest to the consideration of noble Lords, whether the distress of the manufacturing districts was not one of the causes which had led to the fall of wages in the agricultural districts. If the noble Earl opposite had taken the advice which he gave him some time ago, and had taken the chair at the board of guardians at Sevenoaks union, in one day the noble Earl would have discovered one source of the agricultural distress in the number of labourers who, having formerly left the agricultural for the manufacturing districts, were returning now to the agricultural districts, in consequence of the want of employment in the manufacturing districts. The noble Earl seemed very sure that Parliament had in its own hands the remedy for all the evils which now afflicted the country. If so, the noble Earl was, in all probability, prepared with some sketches of the legislative measures upon the various parts of this complicated subject, which the noble Earl thought would answer that end, and would really impart them to the House. For his own part, he was very glad that the Canada Corn Bill was to be introduced, against which the noble Earl protested; he regarded it as a very clear and satisfactory indication of what were the intentions of the Government as to the Corn-laws. He agreed in an observation that fell from the noble Duke, that nothing could be more injurious to the agricultural interest, both landlords and tenants, than the silence of her Majesty's Government as to their future conduct with respect to the Corn-laws.

Lord *Wharncliffe* had previously risen to move the adjournment of the House, as he was not aware that any question had been put to him, or to any other Member of her Majesty's Government, by his noble Friend. If the noble Duke did ask any question, he should be most sorry to have shown any apparent want of respect in not answering; but having acted so recently together in the same Cabinet, he was sure that his noble Friend would acquit him of intending to show his noble Friend any want of respect. With respect to the question itself, which was repeated by the noble Earl, he could only say that he did not think that there was any necessity to give a further answer than had been given at the commencement of this Session, on the motion of the noble Lord opposite, and a similar answer had been given in the House of Commons, that the Government did not intend to propose any further alteration in the Corn-law during the present Session. There was a debate at the present moment going on in the House of Commons on the subject, when the Government would give fresh assurance on the subject, if necessary. He did not see what further answer could be given than that already given, that they did not intend to propose any alteration of the present law. He denied that the Canada Corn Bill was any alteration in the Corn-law of last year. He said this distinctly, for the measure was distinctly announced last year as a portion of the Government plan, and when the bill came to be discussed, he would undertake to show that, so far from this measure being likely to prove injurious to the farmer it would be advantageous to him.

Lord *Beaumont* perfectly agreed with the noble Earl that the silence of the Government as to their future conduct with respect to the Corn-laws had been productive of great evil to the agricultural interest.

The Duke of *Wellington* would remind the House that about a fortnight or three weeks ago he had stated that he had given notice himself last Session respecting the introduction of the Canada Corn Bill, but he now found that his noble Friend the President of the Board of Trade had done so. Indeed, the noble Baron (Lord Monteagle) opposite admitted at the commencement of the Session that such notice had been given.

The Earl of *Radnor* believed that such notice had been given, but still the agriculturists might be taken by surprise by the extent of the measure; but he had no wish to canvass the Canada Corn Bill at present. They had been told that the Corn-law of last year was only an experiment, and that it had not yet had a fair trial. Now he wished to know when it would be considered to have had a fair trial, so that they might deal with it accordingly. For his part he was perfectly satisfied that it was altogether a failure. He was convinced that a great change was rapidly taking place in the minds of the agricultural class, as to the effect of the Corn-laws, and that the opinion was daily gaining ground among them that it was for their interest that there should be a change in the whole system.

Lord *Monteagle* said that, in reference to what had fallen from the noble Duke, he recollected incidentally to have stated, in the early part of the Session, that he distinctly understood that the Government had declared last year that they intended during the present year to introduce a measure relative to the importation of corn from Canada; but he confessed that he did not believe that either the Parliament or the public could then at all anticipate its extent. He was not then acquainted with the nature of it, but now that he was, it should have his consent and entire support. While he was on his legs he would suggest to the noble Duke (the Duke of Buckingham), and other noble Lords who were such strenuous advocates of protection to the agriculturists, that if they considered the subject fully, they would at last be satisfied, that as long as they asked for protection under a sliding-scale, that the operation would be the same, and that the speculators in corn would keep it back from the market until the duties were at the lowest point, when they would bring a much greater supply into the market than was immediately called for, or than the exigency of the case required; when the result would be, that in consequence of this large quantity being swept into the market, their prices would most seriously and rapidly fall, and that at a period when the farmer felt it necessary to bring his new crop to market. This, he believed, would be found to be the inevitable result of all sliding-scales. He believed that within a very short period a serious and extensive change of opinion had taken place in the minds of agriculturists on the subject of the Corn-laws. He was glad to learn that at the meeting at Aylesbury, when this petition was adopted, both parties had been listened to with the greatest attention, and that the opinions on both sides were fairly and candidly expressed, and that the matter was fully discussed; and all that he asked for, as a friend of a free-trade in corn, was that opportunities should be afforded for discussing the subject, and he had no fear as to the result. When he used the expression free-trade in corn, he begged it to be distinctly understood that he included in it the imposition of any countervailing duties as an equivalent for any taxes that might be found to fall exclusively on any particular class, and still less did he except the imposition of a duty for the purposes of revenue.

Earl *Stanhope* observed, that that was not the meaning the Anti Corn-law League attached to the term "a free trade in corn."

Lord *Monteagle* said, that he had nothing to do with the opinions entertained by that body, but such as he had stated were the principles to which he adhered.

Lord *Ashburton* said, there was one admission of the noble Lord who had last spoken in which he concurred, and it was most important that it should be noted by the country, and especially by the farmers: namely, that the present depression of the value of agricultural produce had no connexion whatever with the Corn-law of last year. That admission was very important, and he fully concurred in the opinion that, if the old Corn-law had remained in existence, the same depreciation would have taken place; it was not owing to any alteration of the Corn-law, or to the Tariff, or to the importation of cattle. There was another part of the noble Lord's statement in which he concurred, and he had stated the same opinion to their Lordships before the alteration of the Corn-law—that it was difficult to keep up a sliding scale in the face of a constant deficiency of supply in corn. If they established the scale on the principle that the produce of the country was as ten, and the consumption as twelve or thirteen, it was clear that the speculator had only to wait his time, and he would be sure to come in at the low duty. That was the difficulty. What he maintained was, that the farmers of this country were entitled, in some shape or other, to protection, and to a protection about that given by the scale now existing; he thought it protected, perhaps, a little too high, and he should oppose any alteration for the extension of protection. But as to the power of protection persons might differ, and he should always be ready (without caring one straw about being reproached with changing his opinion) to make a concession for the benefit of the country. He had no hesitation in saying, that if any noble Lord could convince him that even the abolition of these laws, would be productive of benefit to the community, he would support the proposition. With regard to the alteration which was said to be coming, and which had been announced as part of the scheme of last year, if he could make up his mind that it was dealing unfairly as to the amount of protection to which the agricultural interest was entitled, he should not vote for it in any shape; but whilst it would, in his opinion, be of very slight operation, as far as he could make out, the measure would be rather beneficial to the landed interest. The principle on which he argued, was the difficulty of maintaining the sliding-scale if there were a real deficiency of supply. Suppose it were to turn out that we did not produce sufficient for our own consumption, a small amount of grain from Canada would fill up the deficiency, and prevent our markets from being opened to the great and overwhelming supply from the Baltic. His impression was, that the probable tendency of the Canada Corn-bill would be to protect the landed interest of this country against the corn that would otherwise come from the Baltic.

Lord *Brougham* said, as noble Lords had stated that they retained their former opinion upon this subject, he rose merely to say, that there had not been any change in his opinion. At the same time, as his noble Friend had observed, if he found his opinion to be wrong, he should feel no shame in abandoning it. He thought that corn was an unfit subject for taxation, and that if a tax was levied upon it at all, for a revenue, it should be taken at the mill, or on the farm, and not on importation, which raised the price of the whole, whilst the revenue was levied only on a part. He differed, however, from some who objected to the Corn-law. He did not agree with those who held that it was a religious question, except in the sense in which other similar questions might be called religious; and he did not consider that the question of "cheap bread for the people" was involved in the Corn-law at all. He did not think that the abolition of the law would materially diminish the price of bread, though he thought it had a material tendency to enable the manufacturers to lower wages, and thereby indirectly it had a tendency to diminish the means of subsistence of the labouring classes. He differed, however, from another class of persons, who went about the country and told the agriculturists that the Corn-law lowered the price of food, and the manufacturers that it raised it; whereas, they should, in good faith and in common sense, hold the same doctrine to both.

Petition to lie on the Table.

SCOTLAND—REPEAL OF THE UNION.] Lord *Campbell* said, he wished to correct an inaccuracy into which he had fallen, respecting the majority on the subject of the repeal of the Union with Scotland in 1713. It appeared, that on the 1st of

June, 1713, a motion was made in that House for a dissolution of the Scottish union, when on a division there were, of peers present, fifty-four on one side, and fifty-four on the other; of the proxies, there were thirteen for the affirmative, and seventeen for the negative; so the motion was lost by a majority of four. Though there was a general feeling against the union in Scotland at the time when the measure was passed, that feeling was dissipated before long, and the country was for the last half-century most favourable to the measure. He hoped that the feeling which at present existed in Ireland would pass away, and that the good sense and the cooler judgment of the people of that country would lead to similar opinions.

Their Lordships adjourned.

HOUSE OF COMMONS,

Thursday, May 11, 1843.

MINUTES.] BILLS. *Private.*—2^{a}· Lough Foyle Drainage. *Reported.*—Edinburgh Water; Glasgow, Paisley, and Greenock Railway; Merthyr Tidvil Stipendiary Magistrates.—Thames Lastage and Ballastage; Glasgow Marine Insurance Company; Haddenham Inclosure; Scarborough Harbour; Drumpeller Railway; Southampton Docks.

3^{a}· and passed:—Faversham Navigation.

PETITIONS PRESENTED. By Sir J. Walsh, from Marylebone, and St. James's, Westminster, against the Vestries Act.—By Mr. Busfield, from Bradford, against the Turnpike Roads Bill.—By Sir W. Codrington, from Northleach, against the Poor Law Amendment Act.—By Mr. Ferrand, from Bridgewater, and Manchester, for reducing the Hours of Labour in Factories.—By Dr. Bowring, from the Isle of Man, against the additional Duty levied upon Goods Imported into that Island.—By Captain Hatton, from Enniscorthy, against the Irish Poor Law.—By Messrs. Cobden, Scholefield, Brotherton, and G. W. Wood, Colonel Anson, Sir W. Clay, and Dr. Bowring, from a number of places, for the Total and Immediate Repeal of the Corn Laws.—By Messrs. C. Berkeley, J. H. Lowther, Busfield, B. Wood, Sir C. Colebrooke, and Dr. Bowring, from a number of places, against the Factories Bill.—By Mr. Allix, from several places, against the Canada Corn Bill.—From York, against the Ecclesiastical Courts Bill.—From Londonderry, against transferring the Mail Coach Contract to Scotland.—From St. Leonard's Shoreditch, for placing that Parish into Schedules A. and B. in the Health of Towns Bill.

MISSION TO ABYSSINIA.] Dr. *Bowring* said, that some months ago a mission had left Egypt for the court of Shoa, for the purpose of entering into negotiations with the Government there, the object of which was to facilitate the intercourse of British subjects with, and the introduction of British produce into that country. What he wished to know was, whether the object of the commission had been accomplished?

Sir *R. Peel* said, that the mission to which the hon. Member referred, had left Shoa and returned to Egypt. The accounts which the Government had received from Captain Harris were to this effect. Some months since Captain Harris sent over to this country, through the government of Bombay, stating that he had entered into conditional engagements with the king of Shoa respecting the uninterrupted admission of goods and merchandise, the produce of this country, into the territories of the king of Shoa, and he wished to know whether there was any objections on the part of the British Government to ratify the treaty. The treaty also provided for a free intercourse between her Majesty's subjects and the inhabitants of the country. In answer to that communication, her Majesty's Government had stated, that they had no objection to the ratification of the treaty. Captain Harris had been put in possession of this opinion some time since. The Government had every reason to hope, that ere this the treaty had been consented to by the king of Shoa, and that there was now no opposition to the free admission of British goods into Abyssinia, but he had as yet received no information as to the ratification of the treaty.

Dr. *Bowring*: Has any account been received of Captain Harris having left Shoa?

Sir *R. Peel:* Yes.

ROMAN CATHOLIC OATHS.] Mr. *Ross* (adverting to a suggestion made by Sir R. Peel, that hon. Members who had notices of motion on the paper should give way, in order to allow the adjourned debate on the Corn-laws to be resumed), said, that he would propose a course by which much time might be saved, and his object gained. He would propose, that the House should give him leave to lay his bill on the Table, and let the discussion be taken on the second reading. The hon. Member then proceeded to move for leave to bring in a bill for the release of her Majesty's Roman Catholic subjects in Ireland from obligation to take and subscribe the oath prescribed by the act 10 George 4th, commonly called the "Catholic oath." He said the oath was found to be productive of much delay, annoyance, and injustice during the progress of elections in Ireland, opposing parties being in the habit of demanding that voters should produce a certificate that they had taken the oath, or that they would take it before a magistrate prior to their being polled. The hon. Member for Oxford seemed to think that the oath was one of the securities of the Protestant Church in Ireland, but it was scarcely worthy of being regarded in so important a light; and no wise man who had witnessed the course of elections in that country, and the injuries, and unfriendly classification of the electors, of which it was the cause, would deny that it was a serious grievance and ought to be dispensed with.

Mr *T. B. C. Smith* (Attorney-General for Ireland) said, that although the Government could not be considered bound by the decision of a committee, there were two cases, the Cork and Carlow election petitions, in which it had been decided, that by the provisions of the Reform Act the oath was unnecessary, and that fact of itself might be considered a sufficient justification of the hon. Member in his attempt to introduce this bill. He should not oppose the motion, but reserve to himself the right of giving his opinion upon it hereafter, when he had taken its several clauses into his consideration.

Sir *H. W. Barron* said, he had witnessed the vexatious use to which the oath had been turned at elections in Ireland. He had known agents to make opposition to every man who had not or could not be proved at the moment to have taken that oath.

Mr. *Sheil* observed, that there could be no doubt of the oath having been made the instrument of annoyance and delay to serve the purpose of the objectors, and might be used by Roman Catholic candidates, as it had been used by Protestant candidates. Sometimes magistrates had been induced to keep out of the way for three or four hours, during which time not a single Roman Catholic elector was permitted to vote.

Leave given.

WILLIAM JONES AND BARON GURNEY.] Mr. *T. Duncombe* rose, in accordance with his notice, to call the attention of the House to the petition of William Jones, a prisoner in the Leicester county gaol, complaining of the conduct of Baron Gurney during his trial at the late Leicester assizes, and to move that an humble address be presented to her Majesty, praying that her Majesty will be graciously pleased to take into her merciful consideration the case of the petitioner. He was glad that the relative of the learded judge (the hon. Member for Lambeth) was present, now that he was about to bring under the notice of the House a case which, being the subject of a petition to the House, and praying for the redress of a grievance, ought not to be postponed from time to time. The petitioner made two complaints. He had presented a petition to the House, in which he set forth the following facts:—

> "That your petitioner is now a prisoner in the borough gaol of Leicester, to which place of confinement he was sentenced for six months at the last assizes held before Baron Gurney. That your petitioner having been arraigned on a charge of uttering a seditious speech tending to excite the people against the police force and the army, could have shown to the jury that the charge was false, but was interrupted, as your petitioner believes, most unconstitutionally, by his judge, and was thus prevented from establishing his innocence. That under these circumstances, which your petitioner conceives to be a violation of the sacred right of trial by jury, inasmuch as he was prevented from making a successful appeal to his jurors, your petitioner humbly entreats your honourable House to take measures for securing him a legal and constitutional trial. That your petitioner feels the more urgent in his desire to be dealt with according to the constitutional customs he has ever been taught to hold sacred, inasmuch as he has been appointed by Baron Gurney to the second class of misdemeanants, and is only allowed a very restricted and meagre diet, which he feels to be unequal to the support of health. Your petitioner, therefore, prays for the immediate attention of your honourable House to his case."

It was a maxim of the law, that the House ought to act as counsel to an undefended prisoner. That maxim had been strikingly enforced by Lord Chief Justice Heath, on the trial of Lilburne, for high treason, in 1649. Lilburne being undefended, Chief Justice Heath said:—

> "It is true I am a judge made by my sovereign, yet it is known, by the known laws of this land, my duty to be indifferent and free from partiality betwixt my master and you the prisoner, and I am specially bound to it by my oath. You shall have, therefore, the utmost privileges of the law of England, which is a law of mercy. It is also the duty of a judge, by law, to be of counsel with the prisoner, wherein, by his ignorance, he falls short of making use of the benefit of the law, and to exhort him if he perceive him daunted or amazed by the presence of the court. Yea, it

> is my duty to carry myself with all fairness and evenness of hand towards you, to rectify you; it is my duty to help you, and not to use any boisterous or rough language to put you in fear; and according to the laws of England this is my duty, and this is the law."

Now, the question was, whether Jones was daunted and amazed by the rough and boisterous language which Baron Gurney addressed to him. From the inquiries which he had made, it did not appear that the reports in the newspapers were fully borne out by the facts of the case; but he could produce respectable men who were able to prove that the judge did use hasty and intemperate expressions during the trial. Jones had used every means to obtain redress or a mitigation of his punishment, before coming to make his case known to the House of Commons. The opinion of a learned Member of the House—the hon. Member for Rochester (Mr. Bodkin)—had been taken as to whether a new trial might be moved for, on the ground that the prisoner had been improperly dealt with by the learned judge. The learned Gentleman stated it as his opinion that a new trial could not be moved for on the ground of the alleged misconduct of the judge, and that the law had not provided any means of reviewing it; but that the only course in such cases was to apply to the Crown for a pardon, which, if it were manifest that injustice had been done, would never be refused. Applications for a remission of the sentence had, accordingly, been made to the Crown; but those applications had not been attended with success. Mr. Roberts, a solicitor, had made application to the right hon. Baronet the Secretary for the Home Department, but no notice had been taken of his letter. He would now bring before the House some of the passages in Baron Gurney's conduct, of which Jones complained. It could be proved, not only by the evidence of Bairstow and Marshall, but of others, that the prisoner was daunted and intimidated, and that he was not allowed to make those statements which he believed would establish his innocence. It appeared, that during the cross-examination of Thomas Agar, a sergeant of police, the judge interrupted the defendant with some warmth upon his asking the question—"Did you think yourself morally justified?"—or rather part of a question, for he got no further, the judge interrupting with—"Stop, stop; what have we to do with that?" Well, the defendant said —"My Lord, I think," but the judge immediately stopped him again, saying—"You may think what you please, but we'll have no such nonsense as that about 'morally justified' here." The policeman went on with his evidence, in cross-examination by the defendant and said,

> "The people were orderly. He meant by that there was no actual breach of the peace; there was no disturbance, but the people were elevated. Meant by elevated, that they were wrought upon by your expressions. There was injury done to the policeman before you came, and not since."

As soon as the witness said that, the judge again interrupted—

> "Why, they took you up, you see; that's the way they quieted you. If you turn a dog down the street, and cry out 'Mad dog,' there's no need to tell the people to knock him on the head. There's no occasion for it, it is not necessary, they will do it without."

The learned judge stated that. [Mr. *Hawes:* "Hear."] His hon. Friend was not present nor would he find that statement upon the judge's notes; but it could be proved by several respectable persons who were present at the trial, and the reports of different newspapers concurred in giving the same account of it. No one, he thought, could say, that that was an observation calculated to assist the prisoner. Then, it appeared that Jones, in the course of his speech, admitted to the Court that on some former occasion he had called the Government "a tyrannical Government." Upon this, Mr. Baron Gurney stopped him, and said, in a rough manner,

> "Then you have done wrong; you had no right to say anything of the sort. We know nothing of you here except what is charged against you; and there is no need that you should give yourself a bad character."

So this judge laid it down, that to call a Government "tyrannical" was to commit a crime against the law. Why, if that were the case, there was at once an end to all freedom of discussion. When Gentlemen opposite were out of office, what, let him ask, did they say of the Government then in power? Did they mince the matter after this fashion? Did they hesitate to call the Whigs "tyrannical," or anything else that it came into their heads to call them? Why, there was no vituperative epithet in the English language that they were not accustomed to apply, not only, to the Government, but to the Queen herself, and yet there was this mere boy (he was under twenty years of age when he was put on his trial)—here was this Jones assailed by a judge for frankly admitting the use of a term which that same judge had never thought of reprehending when it came from the mouth of a Member of Parliament. With respect to Baron Gurney's summing-up, too, exceptions had been taken by many impartial persons who were present at the time. One of the papers said,

> "Mr. Baron Gurney then proceeded to sum up the evidence, and expressed his opinion of the case in no very equivocal terms."

Of course he was unable to judge of the judge's manner, but with regard to the matter of his charge, he was bound in candour to admit, that after reading the short-hand writer's notes, he had no very great fault to find with it. He did complain, however, of the intemperate and hasty expressions of the judge—expressions by which, as the prisoner said in his petition,

> "He was so cowed that he was unable to proceed with his address, (and of which he also complained, and very fairly,) that the judge so narrowed his path that he really knew not where to put his foot."

If all this were proved, and he (Mr. Duncombe) unhesitatingly averred that every word of it could be proved, that he must say that this judge had not acted up to the maxim of Chief Justice Heath, "that the bench should assist the prisoner." But this was not all; the more grievous part was to come. The prisoner, after the judge's charge, was found guilty by the jury, whose verdict ran in these terms:—

> "We find the prisoner guilty of using the language imputed to him, but we are of opinion that he used it whilst labouring under great excitement."

After such a verdict as this,—looking, too, at the circumstances of the trial, the prisoner's complaint of interruption by the judge, and his averment that several jurors, whom he could not challenge, were prejudiced against him,—after such a verdict, and under such circumstances, he must say, that the sentence passed on the prisoner by Baron Gurney was an exceedingly harsh and severe sentence. Before he passed such a sentence Baron Gurney might surely have called to mind those good old days of Jacobinism, when he himself did not hesitate to call Governments "tyrannical;" when it was said of him by a celebrated wit "that he succeeded so well at the bar because he did so much business in sedition." Mr. Baron Gurney had made himself by defending what he would now call seditious libels. He was the bosom friend of the Rev. Jeremiah Joyce, who was tried for high treason—he defended the members of the Corresponding Society of 1793—he was—[Mr. *Hawes*: Don't, don't.]—why, I'm telling the hon. Member facts which he is not aware of, and which are more to the credit of his relative than anything he has ever done since he was the man who publicly desired to "meet the fate of Hampden, who died in the field, or of Russell, who suffered on the scaffold"—who in earlier years baptized his own sons by the names of Sidney, of Russell, and of Hampden, and who yet in the year last past could find no palliation, no apology, no excuse for the somewhat intemperate zeal of "this misguided boy." To six months' imprisonment was this young man consigned; and all that could be said of such a sentence was, that it frustrated its own object by engaging for the prisoner the sympathy rather than the reprobation of the public. But there was something behind even more rigorous than the sentence. The House would remember that in Lovell and Collins's case her Majesty's Government gave it to be understood that political offenders should not be made the gaol associates of men convicted of atrocious crimes. Gaol prisoners, it was said, were to be divided into two classes, of whom the political offenders were to occupy the first. Now, Jones complained that he was not so placed—that the judge had put him among the second class of public offenders, that he was only allowed to see his friends once in two months, and that his only allowance on which to support life was 1*lb.* of bread, a pint of porridge, and the same quantity of soup or gruel *per diem*. Now, when the right hon. Gentleman the Member for Nottingham was in Newgate there were no such restrictions upon him. He was allowed to supply himself with any food he thought proper, to read what books he liked, to see his friends within the prison, and to correspond with whom he pleased beyond the walls. Not so with Jones; he was subjected, under Mr. Baron Gurney, to a system of absolute bodily, to say nothing of mental, torture; and that, too, for a crime which was considered almost venial—the crime of making a silly and imprudent speech. And now, doubtless, whilst Jones was suffering all this, the learned Attorney-general would get up in his place and say, "Oh, he has his redress; let us leave him to seek it by the law." The learned Attorney-general little understood how rarely the poor man could find the means of putting fees in the pockets of the lawyers. If Jones could have employed counsel at his trial—if he could have engaged in his cause the eloquence, the skill, and the legal knowledge of his learned Friend beside him (Serjeant Murphy)—it would have been impossible for Mr. Baron Gurney to interrupt the reply, and it would have been improbable that he should now have to appeal in the prisoner's behalf. But in this case even the Attorney-general's constant rejoinder to a case of this kind could scarcely be considered applicable. Jones had tried all the means open to him to obtain redress. He had obtained counsel's opinion; he had appealed to the right hon. Baronet—who, by the way, had probably not read his letter, for it had been three weeks at the Home-office unanswered,—and having tried such means and found them ineffectual, it could scarcely now be said that he was pursuing a wrong course in appealing to that House. A common argument was, that an address of this kind was interfering with the prerogative of the Crown. He (Mr. Duncombe), however, would maintain that the House possessed and ought to exert the power of advising her Majesty in the exercise of her Royal prerogative. In Hunt's case, when the same point was mooted, it would be remembered that the present Lord Chief Justice voted for the address. In the case which he (Mr. Duncombe) had the honour of bringing before the House in 1840, it would be also recollected that the motion was only lost by the Speaker's casting vote. Possibly on this occasion he might be left in a minority, but whether he was or not it was at least the duty of the Government to consider the facts, and if good cause of complaint existed, to apply to the Crown for that free pardon which, where injustice was committed, was said never to be refused. The hon. Member concluded by moving that an humble address be presented to her Majesty humbly praying that her Majesty will be graciously pleased to take into her Majesty's merciful consideration the case of William Jones, confined in her Majesty's gaol at Leicester.

Mr. *S. Crawford* having seconded the motion,

Sir *James Graham* said, he rose, in the strict discharge of a public duty, to answer an accusation made by the hon. Member for Finsbury, which was immediately connected with that important subject, the administration of justice. He spoke correctly when he said that on the present occasion he was acting strictly in the discharge of a public duty; because, although he entertained the highest respect for the public character of the learned judge whose conduct had been alluded to, he had not the honour of more than a casual acquaintance with him. Upon this occasion the hon. Member for Finsbury appeared once more before the House labouring in his usual vocation—he having, as it were, adopted the character of public prosecutor of the judges. The hon. Member being self-constituted censor of vituperative language, it would become him to be a little more guarded as to the expressions which he applied to venerable judges on the bench—men of the highest reputation, whose fair fame had remained unsullied up to the evening of their life. He knew the hon. Member for Finsbury so well that he was sure, if the hon. Member bestowed a moment's reflection on the matter, that not even the consciousness of acting in the discharge of a public duty could compensate for inflicting upon persons of such high character and occupying so eminent a position needless pain by the use of unguarded expressions. He complained of nothing which the hon. Member had said respecting the public conduct of Mr. Baron Gurney, and, leaving his many friends and relatives to defend any part of his private character which they might believe to have been assailed, he would merely, in passing, express his regret that the hon. Member had considered it necessary to refer to Baron Gurney's political opinions in early life. Now, with respect to the public conduct of Baron Gurney, he could assure the hon. Member and the House, that he did not neglect to make inquiry respecting the language and conduct attributed in the public journals to that learned person. As soon as he was acquainted with what was alleged to have occurred, he addressed a letter to Baron Gurney, requesting to be informed by him of what had actually taken place, and he would state the substance of the learned judge's reply. The hon. Member had spoken of his (Sir James Graham) having neglected to reply to a letter addressed to him by a Mr. Roberts, whom he designated as a solicitor. It might be true that that person was a solicitor, but he was something more. This Mr. Roberts was convicted of seditious conspiracy at the Salisbury Spring Assizes in 1840, and sentenced to three years' imprisonment. He (Sir James Graham) did not feel called upon in his official capacity to take any notice of a communication from such a person, couched, as it was, in very strong language, and reflecting on the character of a judge. From the manner in which the hon. Member had spoken, the House might be disposed to infer that he (Sir James Graham) had taken no notice whatever of the complaints which had been preferred on the part of Wm. Jones; but that was not the fact. The hon. Member himself brought Jones's case under his consideration, and the hon. Member would do him the justice to recollect that he paid immediate attention to his letter and answered it fully. The hon. Member had spoken of Jones as a youth, and said that his conduct arose out of great excitement. Jones was 22 years of age, and perhaps the House would permit him to state what were the circumstances under which his offence was committed. It was committed in August last, during the period of the insurrectionary movement in the north of England, when the greatest excitement prevailed throughout the manufacturing districts. The disturbances extended to the town of Leicester, and the police were interrupted in the discharge of their duty, and assaulted by large mobs. In consequence of these disturbances application was made for military assistance, and the yeomanry were called out and even quartered in the town of Leicester for the period of twelve days. The prisoner, under the pretext of preaching a sermon, assembled a tumultuous meeting in the Market-place of the town of Leicester, and upon that occasion he addressed to the multitude a most seditious harangue: language of a most violent and exciting character was used. The police force was subjected to the most scurrilous abuse. A violent tirade was uttered against the yeomanry, who had been called upon duty to preserve the public peace. The army was called a body of hired assassins; the police were designated vampires, and the yeomanry were styled trained assassins. These facts were proved in court beyond the possibility of a doubt. He would now address himself to the charges brought against the judge who had presided at the trial of this person—charges, however, which did not need much refutation, seeing that they had been abandoned even whilst the hon. Member was yet making them. The hon. Member for Finsbury had abandoned all the charges against Baron Gurney, with one exception, viz., the expression which had a reference to mad dogs, which he alleged the learned judge to have used. With that exception the hon. Member did not press the charge of intemperate language against the learned judge. He (Sir James Graham) had received Baron Gurney's explanation of his interruptions during the speech which the prisoner had made in his defence, and he stated that the defence lasted for three hours, during which he (Baron Gurney) had permitted two friends of the prisoner to sit near him and assist him with their occasional advice and suggestions, but the interference of these two gentlemen at length became so constant and frequent, that the learned judge thought proper, in order to prevent the course of justice from being interrupted, to put a stop to this species of interpleading. The learned judge expressly denied having used the phrase "mad dog," or any similar expression; and he explained, with respect to the interruption complained of at a subsequent period of the defence, that the prisoner was arraigning the Government of the country, and describing it as a tyrannical Government, upon which he (Baron Gurney) interposed his authority and stopped this current of observation by reminding Jones that the court was not a competent tribunal to judge of the constitution of the country, but that he was simply called upon to answer the charge brought against him and upon which he stood at the bar to be tried by his fellows. The venerable judge averred that this was the only interruption which the prisoner experienced, during his three hours' defence, from him, and it did not appear to have had much effect, as an interruption, seeing that he spoke for one entire hour after the learned judge had recalled him to the point in question, and thus the completeness and fulness of his defence did not appear to have been broken down.

To the best of his recollection that was the account which Baron Gurney gave of the transaction. The remark made by Baron Gurney upon the petition of the prisoner was, that his complaint of interruption and of unfair treatment was evidently an afterthought; for he (Jones) had, at the termination of the trial, expressed his acknowledgments and thanks to the judge for the patience and attention with which he had listened to his speech. He put it to the hon. Member whether, as these circumstances had taken place in the presence of counsel, in the face of the bar, in an open court of justice, where there was no attempt at concealment made, it was fair to the learned judge to try the question *de novo* merely upon the vague allegations contained in the petition which he had presented to the House? He would now refer to the second particular in the case. He alluded to the treatment which the prisoner was said to have been subjected to in gaol. What were the circumstances under which the prisoner was convicted? He (Sir J. Graham) had already stated to the House the dangerous state of excitement to which the prisoner had endeavoured to rouse the populace at Leicester, bearing in mind this fact, he begged the House to reflect upon the nature of the sentence passed upon him. Mr. Baron Gurney, notwithstanding the character of the prisoner's offence sentenced him only to six months' imprisonment. That was the sentence the judge passed. The hon. Member did not complain of the terms of imprisonment, but of the fact of the prisoner being placed in the second class of misdemeanants. The hon. Member had made an allusion to the act of Parliament having reference to this point, but in doing so he omitted to refer to that part of the statute in which the Legislature deliberately enacted, that when a party had been convicted it was quite discretionary with the judge to determine in which division the prisoner was to be classed. The hon. Member would lead the House to believe, that notwithstanding the character of the sentence, undue severity had been exercised towards the prisoner. He did not think that it was consistent with his duty to recommend any alteration in the classification which had been adopted; but in consequence of the representations of the hon. Member relating to the declining health of the prisoner, a letter had been written to the visiting justice on the subject, in which it was stated, that if such statements were true, a relaxation in the treatment of the prisoner was strongly recommended. He (Sir J. Graham) had read a certificate from Mr. O. Beaumont, the surgeon of the Leicester gaol, with regard to the condition of the prisoner. The surgeon said in his certificate, that the prisoner was labouring under no bodily disease, but merely a slight indisposition arising from an alteration of diet, and a depression resulting from the confinement to which he was subjected. Was it a fact that even in these circumstances no relaxation had been allowed the prisoner? By the advice of the visiting magistrates considerable relaxation had taken place in the treatment of the prisoner. The rules of the prison, in his particular case, had been mitigated. He was permitted to wear his own clothes; he was allowed to read any unobjectionable books that his friends might think proper to send him; he had also the use of pen, ink, and paper, under certain restrictions. He had now made a short explanation of the conduct of the judge and the executive Government in the particular case which the hon. Member had brought under the notice of the House. And he must be permitted to say, in conclusion, that with all his respect for that House, he did not think it expedient to advise the Crown to exercise its prerogative of mercy unless circumstances strongly warranted the adoption of such a course. No expressions which any hon. Member might think proper to indulge in would induce him to do anything which would have the effect of interfering with the calm and temperate administration of justice. In this particular case he was of opinion that justice had been tempered with mercy. Notwithstanding the imputations which the hon. Member had attempted to cast upon the character of the learned judge, he trusted that that distinguished individual would persevere in the line of conduct which he had pursued from the early period of his judicial career, and would regard with indifference aspersions which could have no effect in injuring his unsullied reputation. The right hon. Baronet concluded by stating that it was his intention to meet the motion of the hon. Member for Finsbury by a direct negative.

Mr. *Hume* was ready to admit, so far as his own experience went, that the right hon. Gentleman had always attended to applications of this kind, and it certainly appeared that of this case the right hon. Baronet had taken a merciful view. But he thought the circumstance of the right hon. Baronet having made relaxations showed that his hon. Friend the Member for Finsbury had not improperly brought forward the present case. He (Mr. Hume) had been led away by the statements that had been made public respecting the learned judge, and he had thought the more of it, because in his youth he had been accustomed to look on the learned judge as one of the most steady of reformers, and he was vexed to think that the learned judge should have abandoned his early opinions. His hon. Friend (Mr. Duncombe) it was evident had rather overstated the case. He agreed with his hon. Friend that the manner in which, within the last few years, political offenders had been punished had been very severe. He had visited Sir F. Burdett, Sir John Hobhouse, and other political offenders in prison, and no such severity was then exercised. He trusted, therefore, whenever his hon. Friend had ground, he would proceed in his career. The right hon. Baronet, in the present case, appeared however to have taken a merciful course. As to the learned Judge, he was misled by statements he had seen; but it did not appear, though Mr. Baron Gurney might have used some intemperate expression, that any more serious charge could be made against him. He himself, and many other individuals, in 1831 and 1832, some of whom formed part of the late Government, had made use of much more violent language than had lately been so severely punished—and he was sorry to say that the Whigs, who had been the first to use such language, were the first to punish it so severely. He could not refrain from expressing his hope that this extreme severity of punishment towards political offenders would be abandoned.

Mr. Sergeant *Murphy* recommended his hon. Friend to withdraw his motion; and, adverting to the trials at Lancaster, said he was authorised by the individuals whom he defended, and many other defendants, to express the highest admiration and gratitude for the manner in which the law had been administered, both by the Attorney-general and by the learned Judge who presided on the occasion. The charge against Mr. Baron Gurney, in the present instance, seemed to be of a very flimsy character.

Mr. *Hawes* also thought that the charge against Mr. Baron Gurney was not substantiated. He had learned from three barristers who were present at the trial, that the prisoner thanked the judge. The case had not been made out, and he thought his hon. Friend would act most prudently by withdrawing the motion.

The *Attorney-General* spoke from the general assurance of more than one of the counsel who were present at the trial, that the learned Judge received the prisoner's thanks for the mode in which he presided over the proceedings. As the motion, however, was not likely to be persevered in, he would only take the liberty of reading some remarks on the case published in a local paper, which, on account of its political tendency, was more likely to sympathize with the prisoner than the judge. He had come down fully prepared to go into the question; and he held in his hand a newspaper, the *Leicester Chronicle*, which was published in the town of Leicester, advocating politics corresponding with those of the Chartists, and which distinctly stated,—

"It was with considerable surprise that we perused the reports of this trial which appeared in the *Times* and *Morning Chronicle* of Monday se'nnight, and which were exceedingly unfair towards the venerable judge before whom the prisoner was tried.

"The prisoner, both in his cross-examination of the two witnesses Marshall and Agar and in his defence, introduced a very great deal of matter wholly irrelevant to the charge brought against him; and Baron Gurney, therefore, had to remind him, as he would have reminded any other prisoner, that such a course could not be allowed. This was done decidedly, but not harshly, as the reports in the *Times* and *Chronicle* would make it appear; for he is there said now to have spoken 'sharply,' and then with 'vehemence.' When the prisoner said he had often denounced the government as tyrannical, &c., Baron Gurney said, 'Then you have done very wrong; you had no right to do so,' &c.; but that he said 'with vehemence' is untrue. He is also said to have summed up unequivocally against the prisoner, &c.: but not one word of his summing up is given, whereby the public is enabled to judge whether this is the case or not. Now, seeing that a great deal of room could be found to give all the best parts of the prisoner's eloquent but unconnected defence, we were certainly in expectation of meeting with an outline, at least, of the judge's summing up; and we can only account for such not being the case on the supposition, that it was not the intention of some of the 'briefless' who supply the London papers with assize intelligence—and who supplied the reports in question—to place Baron Gurney's conduct before the public in the most unfavourable light possible; and in this supposition we are strengthened by the following circumstance;—During the trial some persons outside the court were working a common house-pump, and the noise thereby made, prevented his lordship from hearing; he, therefore, made some observation to the effect, that the noise should be put a stop to. This simple remark has been tortured into his having threatened to send away 'those persons pumping there'—meaning, it is said, the prisoner's Chartist friends, Bairdstow and Markham!

"'It is well known that at the time of Jones's apprehension and committal we called in question the (to say the least) expediency of such a procedure, and that because we thought too much importance was thus attached to the somewhat extravagant harangues of an itinerant lecturer; we did this, too, because we are as jealous as any person can be of the slightest invasion of the right of the subject to speak his mind openly and honestly on matters concerning the common weal; but, thinking thus, and even though we may also differ with the learned judge as to the right of a person to denounce the Government as tyrannical, or as to the poor man's labour being equally protected by the law with the rich man's property, we feel bound to declare that we think the prisoner was fairly dealt with by the judge as a judge; wherever he was checked, or not allowed to proceed, it was in accordance with law; and the only point where we could have wished his lordship to have acted otherwise than he did, was his not allowing Jones to challenge one or some of the jury—Jones alleging he had been informed that one or more jurymen were pre-determined to find him guilty; but for this he gave a legal reason. However unfavourable the summing-up may have been to the prisoner, he himself was the cause of it; whatever evidence was wanting as to the tendency and intention of his language at the meeting in question, his cross-examination and defence supplied; and, despite the ability he displayed as an orator, he added another to the many recent proofs that, 'he who is his own counsel, has often a very foolish client.'"

And in the following week the same paper said:—

"The report of this trial, as published in the London newspapers, continues to excite comments, more or less unfair, upon the conduct of the judge; we therefore again take the opportunity to assert that the defendant was fairly tried and indulgently treated.

"Every person who has witnessed the direct and straight-to-the-point manner of Mr. Baron Gurney—his dislike to the introduction of irrelevant matters, and the impartial constancy of his rebukes to counsel with reference to their irregularities—must admit that his patience and endurance in Jones's case were extraordinary. His interruptions have been misreported and misunderstood. A great deal of cant has been written as to the propriety of judges allowing all sorts of indulgences to defendants who plead their own cause, as if, forsooth, rules which are the result of great experience, framed for economising the public time, and for reducing inquiries to close and definite issues, are to give way whenever any defendant is vain enough and foolish enough to be his own counsel. Some judges there are so much afraid of observation and remark, that they have been led into the weakest and silliest condescensions to persons charged with seditious offences; assuredly Mr. Baron Gurney's conduct was not of this character. At the same time we feel certain that more extensive indulgence was shown to Jones than would have been the most able counsel on the circuit.

"Having made these observations as to the impartiality of the judge, we may be allowed to say, that in our opinion he was somewhat in error in point of law when he refused to allow the defendant to quote to the jury from speeches made at public meetings by persons of authority and station. In all the defences with which we are acquainted, in cases of seditious libels or seditious words, it has been usual to allow such quotations to be made, and we are sure that numerous instances are to be found in the published speeches of the most eminent of our advocates. It is true that they may not be evidence in a technical sense, but surely the published records of speeches are sometimes pertinent by way of comparison, when the quality and tendency of particular expressions form the tendency.

"It was, however, well for defendant that the quotations were disallowed, because, on carefully looking at the speeches referred to, we can imagine nothing more certain to have procured his conviction than the contrast of his speeches with those. They were the speeches of townsmen at town meetings, assembled for the purpose of discussing special or general grievances, or of celebrating the triumph of freedom over despotism in a neighbouring nation. We defy the most perverted ingenuity to point out the most remote analogy in the language of the speakers, or in the circumstances of the meetings at which these speeches were delivered. The learned counsel in particular, whose speech was alluded to, was really the person most entitled to complain of their exclusion; for, on reference to his address, no single expression can be found of which the most fastidious stickler for propriety need be ashamed.

"There is one other point upon which Mr. Baron Gurney has been, as we believe, misunderstood. We by no means allow it to be a great crime, in discussions or arguments at public meetings, to speak of particular acts of the Government as 'tyrannical;' and we do not think the judge intended to convey that impression; we believe he intended merely to assert it to be an offence to incite the people against the Government and institutions generally as tyrannical.

"With reference to the defendant's challenges of the jury, the judge had no power, as we are informed, to allow them, without cause being shown, there being a difference between felonies and misdemeanours in this respect."

Thus it appeared, that those who might be looked on as not indisposed to find fault with the judge bore testimony to the fair and indulgent treatment of the prisoner. The motion divided itself to two points—first, as to the conduct of Baron Gurney; and, secondly, the conduct of the executive. Now, without referring to the prisoner's thanks to the judge, it seemed generally admitted that the conduct of the latter was altogether free from blame, and with respect to the executive, the application made to Government has been met by a relaxation of punishment, which the hon. Member for Montrose had admitted to be commensurate with the circumstances of the case. He need not go into further details, as he hoped that the hon. Member for Finsbury, with that discretion which did not often desert him, would withdraw the motion.

Mr. *T. Duncombe* said, that Jones denied that he had ever thanked the judge. It was to the jury he returned his thanks, and this was confirmed by his friends. The right hon. Baronet referred to a memorial which he (Mr. Duncombe) had sent in on the part of Jones. That memorial referred to the treatment of the prisoner, and till that moment he (Mr. Duncombe) had never known the result of his application. He had acted in this case upon the principle by which he was generally guided. When a grievance was placed in his hand, if he believed that the grievance could be proved, he held it to be his duty to bring it before the House to the best of his ability, nor would he allow himself to be deterred by any Secretary of State from doing what he thought himself bound to do, though he would be very glad if people would place their grievances in any hands rather than his. He had so much respect for the legal abilities of the learned sergeant, that he should at once accede to his suggestion, and withdraw the motion. But as to the learned judge's friends complaining of what he (Mr. Duncombe) had done, he really could not see upon what ground they could rest their complaints. On the contrary, the learned judge and his friends ought to be very much obliged to him (Mr. Duncombe) for bringing this case forward, and thereby affording them an opportunity of correcting any misapprehensions that might have gone abroad.

Motion withdrawn.

ABOLITION OF THE CORN-LAWS—ADJOURNED DEBATE.] The Order of the Day for the resumption of the adjourned debate, on the Abolition of the Corn-laws was read,

Mr. *Borthwick* expressed extreme surprise at the very thin attendance of Members on an occasion of so much importance. The present motion had been ushered in by an agitation unconstitutional in its nature and dangerous in its consequences. He protested against the transference of the debates of that House to the boards of Drury-lane theatre. He believed hon. Gentlemen opposite were impressed with the importance of this question; but they would better testify their sense of it by attending to their duties in the House than by taking part in an agitation which engendered a spirit of discontent and disaffection among the inhabitants of the towns, and also arrayed the tenantry against their landlords. The petitions which had been presented for the repeal of the Corn-laws could not be looked upon as the spontaneous and heartfelt expression of the sentiments of the people, but as the products of an agitation which had commenced in that House. A circular, addressed to the fears of the electors, had been forwarded to him from the Anti-Corn-law League which he could not too much condemn, and which, in effect, told the electors that if they refused to take a side on this party question, they could not be included within the limits of possible salvation. In another of the pamphlets issued by the League, which enumerated the authorities who were favourable to an alteration of the Corn-laws, the name of her Majesty was introduced, on the ground of the speech from the throne, delivered in the autumn of 1841. He said that the Anti-Corn-law League were, in thus deluding the people, practising a deceit on them in the name of religion, and in the name of their Queen, for the sake of inducing the people to side with them in a party and political contest. In his opinion, this question ought not to be argued by those who sat on his side of the House as an exclusively agricultural question; nor by those on the other side, exclusively on the ground of its bearings on trade. Neither by his constituents nor himself had he any connection, directly or indirectly, with either of the two great interests of commerce on the one hand and agriculture on the other; and, therefore, if he was presumptuous in addressing the House on the subject, he was at least entirely disinterested. It had been said that the electors who returned a majority in favour of protection to agriculture, had been deceived by the right hon. Gentleman who was now prime minister; but at all events the right hon. Gentleman had not deceived him (Mr. Borthwick) nor his constituents; for, from the speech made by the right hon. Gentleman previous to his accession to office, he saw that one of the first measures proposed would be an alteration of the corn-law, and he warned his constituents to be prepared for such a change. But there could be no doubt, if the right hon. Gentleman did not deceive the country, that the country was deceived. Gentlemen told their constituents that they would maintain the sliding-scale as it then existed; and farmers, having contracted grave and serious obligations on that understanding, had a right to come to the House and say, "We have been deceived, and when a day of reckoning comes, we shall next time take the question into our own hands." This was stated clearly by the hon. Gentleman the Member for Wallingford (Mr. Blackstone), and nothing could more clearly show the impropriety of giving pledges. Hon. Gentlemen ought not to pledge themselves to individual questions, or if they did, they ought to abide by them; *fiat justitia, ruat cœlum* ought to be the motto of every man who gave a pledge to his constituents. He protested against judging this question in the spirit of party, or dealing with it in the fashion of political jockeyship, which might suit those whose object it was to obtain the gold of office. Party interests might be served by trickery, but the interests of nations were only to be served and promoted by truth. He wished hon. Gentlemen would reflect that they did not sit in that House merely as Members for Tamworth, Yorkshire, London, Stockport, Dublin, or Edinburgh, but as Members for the whole empire; and considering the immense extent of the empire, it might be said that a member of the British Parliament was a Member for the world. The question ought to be viewed in its bearing on the destinies of the empire, and through them on the destinies of mankind; and not as it was viewed by those Gentlemen,

> "Who rave, recite, and madden through the
> land,
> Fire in each eye, and papers in each hand."

They had argued this question with great eloquence, ingenuity, and also sincerity, in their attempts to produce conviction in the public mind; and as far as he had observed, they had succeeded in what they attempted to prove, but they had argued the question as a narrow and not of world-wide importance. The hon. Member for Wolverhampton in his speech the other evening, had laid down no proposition which he had not succeeded in proving. The noble Lord the Member for Sunderland, who spoke with great experience, and with all the weight of his high character on the question, had said nothing which he did not prove; and, as far as he had read the debates of the House, and the arguments of the respectable portion of the press, they had proved all the doctrines they maintained. They had proved that the doctrines of free-trade were those of abstract truth and justice; they had proved that we ought to buy in the cheapest market and sell in the dearest; they had proved that from one end of the globe to the other there ought to be no impediment to the mutual exchange between man and man; that the inhabitant of London and the inhabitant of Timbuctoo had a full abstract right to the free exchange of each other's productions, but they had omitted to prove the connecting proposition that because those abstract truths were capable of proof, *ergo*, the Corn-law ought to be abolished. He hoped some hon. Gentleman would attempt to prove that because these things were true, therefore protection to agriculture ought to be abandoned. His opinion was, that to give up protection would be ruinous to agriculture and destructive of the vital interests of this country. Hon. Gentlemen opposite leant on the abstract principles of free-trade, which they proclaimed as novel discoveries. They were not new—they were as old as truth itself—they were the doctrines of absolute verity; and in that abstract region he was with them the asserter of the doctrines of free-trade. Upon the application of the principles of free-trade professed by hon. Gentlemen—

namely, to buy in the cheapest and sell in the dearest markets—he contended that the very dearest market that Englishmen could buy in was the continent of Europe, which must have the effect of displacing the cultivation of the soil. The foundation of all prosperity was the riches of the soil, and it was absolutely necessary to give to the cultivators of the soil the advantage of that protection and that influence which the Gentlemen on the other side seemed to question. In a well known work upon this subject—he knew not whether the hon. Member for Montrose had read it—it was said, that England need now grow a peck of wheat if she were the workshop of the world; but he would say that it was absolutely necessary, if they meant to protect all the interests of the country, and to give stability to its commerce and strength to its prosperity, that they should give a preponderating protection to that agriculture which was the foundation of our greatness, and without which commerce must suffer, should this motion be prematurely and unfairly carried.

Mr. *Wrightson* said, that an argument in favour of the Corn-law had been, that this country from time immemorial had been accustomed to a Corn-law, and that for the last 25 years the Government and the Ministers had been on the look out for some opportunity of relaxing the stringency of our commercial code. Though he would not deny that for a long time Corn-laws had existed, yet he could not see on what ground it was considered that anything like an improvement in their stringency had taken place during the last 25 years. The Corn-law of 1774 he considered the best Corn-law that ever stood upon our statute book, and the only one that worked in a satisfactory manner. All interests seemed to have flourished under it, and most particularly the agricultural interest. If any Gentleman entertained a doubt upon that point, it was easily removed by recalling to mind what had been said by the right hon. Gentleman the Vice-president of the Board of Trade, who quoted tables showing that from the year 1771 to the year 1791 the agriculturists enjoyed a higher price of corn than that which was enjoyed even at the present moment. Unfortunately, in 1791 there was a body of gentlemen who composed a third party in the House of Commons, to whom it occurred that the import prices were not high enough, and who determined to raise the scale of prices from 44*s*., being the lowest on the scale by the act of 1774, to 50*s*., and the highest from 48*s*. to 54*s*. There was at that time a young nobleman who took an active part in supporting Mr. Pitt, and who had since filled many of the highest offices of the State, and who was still living—he meant the present Lord Harrowby. That nobleman at that day told them that the object of the law was to create artificial prices for the benefit of the landed interest. He wished he could see the son of that noble Lord (the Member for Liverpool, Lord Sandon) come forward now and advocate the same principles as those which his excellent father advocated nearly half a century ago. This was the first change made in the law of 1774. In 1804 the price had risen to 72*s*. a quarter; but even with that price the Legislature admitted corn at a duty of 8*s*. 6*d*. when the price was at 63*s*.; and when it reached 66*s*. a quarter, it was admitted without any duty at all. Would hon. Gentlemen opposite give the country such a Corn-law now? No; because the appetite for protection grew with what it fed on. The next change in the law was in the year 1815. The question was then attended with greater difficulties than had existed at any other time. It was considered that corn could not be grown in England at a remunerating price at less than 80*s*. a quarter; but as soon as the price reached 80*s*. freedom of trade was given. The real principle, then, upon which all these laws had been founded, was that of ascertaining the price at which corn could be grown in this country, and having secured that, then to admit foreign corn free of duty. If that was the true principle, then he must say that the law of 1815 was the last which was founded on that principle. When the Act of 1822 passed, the country possessed every advantage. There was profound peace, the currency (thanks to the Right hon. Baronet) had been adjusted, and there was also the advantage of the famous petition from the merchants of the city of London, which alone formed an era in the history of this question, and they had also the wise counsel of Mr. Huskisson, which was embodied in the well-known report of 1821. But all these advantages were thrown away, and the Administration proposed a Corn-law which he conceived to be totally novel in principle. What was the law then (in 1822) proposed? It was that a duty of 12*s.* should be paid upon the average price of 70*s.* a quarter, and, not content with that, they charged another duty of 5*s.* for the first three months over and above that. This showed the animus of the Legislature and of the Government at that time. That bill was repealed in 1828. In 1827 Mr. Canning introduced a measure to fix the duty of 16*s.* 8*d.* when corn should be at 65s. a quarter. Would not any human being consider that to be high enough? But no; the Bill was rejected in the Lords, and in 1828 the Duke of Wellington proposed a measure asking 6*s.* a quarter more duty; and a bill was finally passed at a duty of 22*s.* 8*d.* when corn should be at 65*s.* a quarter. Last year the right hon. Baronet now at the head of her Majesty's Government proposed and carried another law, altering the law of 1828. The average price of corn last year was 56*s.* a quarter, and that price was no doubt a fair basis for the act of last year. The right hon. Baronet, indeed, stated on that occasion, that he wished the prices to be between 54s. and 58*s.*, which in other words was 56*s.* Fifty-six shillings was the basis of the tithe composition, therefore if that was not a proper price the Legislature had done great injustice. It was the price upon which the greatest part of the rents of the country were calculated. Yet what did the Government of last year do? They put a duty of 16*s.* upon corn when at 56*s.* a quarter. Had not the people a right to say that this was a most severe and unwarrantable law? Considering this to be a law intended for the first commercial country in the world, he was authorised in saying that it was based upon an entirely anti-commercial principle. Nothing could exceed the cruelty of such a law, except it was the blindness of those who supported it. It was difficult to understand how such a law could get upon our statute book under a representative Government. He believed the truth to be this (and why should he not state it?) that there had been for years and years a constant struggle kept up between those superior minds that rose to the management of the public affairs of this country, and the less able in intellect and ability but still superior classes with respect to the greatness of wealth and property, and who always must by the strength of that property and the respectability of their character, possess great influence in society. This struggle generally ended in the defeat of the former, and the triumph of the latter. He did not ascribe any bad legislation to the individual will of a Minister. He did not believe there was any Minister, let him be taken from either side of the House, who would not do justice to the public upon this subject, if those Gentlemen who constituted that dominant property party would only take off the pressure, and allow that Minister to follow the bent of his own counsels, and of his own impressions. He trusted that no such state of feeling would again exist in this country as was once described to exist when Mr. Canning ruled the destinies of this empire. In the Life of Mr. Canning he found a description of the feeling prevailing at that time in the Legislature. It was stated,—

> "That the great landowners would all work together; they were all determined to adhere to prohibition; no compromise would please them; the Lords were more violent than the Commons, and they were all pledged to each other."

He believed, that if the landowners would not make a march in advance, their own tenants would very soon be before them. Would they take a lesson in time, or would they follow the example of the privileged orders in France, and refuse a compliance till they were compelled? He hoped for better things: there was no reason why those excellent and influential Gentlemen who supported the Government or why the Members of the Government themselves, should be deprived and shut out from the benefit of experience; and having placed at the head of their great party a Gentleman who had given most unequivocal proofs that he would not be bound by any pre-conceived opinions when the real interests of the country might require a contrary line of conduct, he certainly looked forward to the time when, this being a country in which Statesmen did not confine themselves to any particular dogmas, but were always open to the effect of reasoning—he and those who agreed with him might hope that, as Lord Grenville had disavowed a delusion under which he had laboured for forty years upon the subject of the sinking fund —so the right hon. Baronet would speedily avow with equal candour, that he had been mistaken and misled by the delusive principle of the sliding-scale.

Mr. *R. Palmer*—No one could for a moment suppose that the hon. Gentleman who had just sat down intended to attribute to those who differed from him improper motives as to the course which they might think proper to adopt on this occasion. He could assure him that, though he differed from the hon. Gentleman as to the conclusions to which he had come, he would not support protection to the agriculturists, if he did not think that protection to that interest was essential to the welfare of the country. The hon. Gentleman's speech referred chiefly to the different Corn-laws which had been passed by the Legislature, and the question was, not as to the degree of protection to be given to agriculture, but whether, upon the motion of the hon. Member for Wolverhampton, any protection at all was to be given. He therefore thought that the question at issue came within small compass, without the necessity of entering into the merits or demerits of the Corn-law. Whatever might be the opinion of Mr. Pitt, it was certain that all eminent statesmen since the year 1815 had adopted as a principle that protection to the agriculturists was their right and was necessary. But if hon. Gentlemen opposite quoted Mr. Pitt's authority he would quote that of the late Mr. Huskisson in the year 1814, which said,

> "Let the bread which is eaten be the produce of our home growth. I care not how cheap it is—the cheaper it is the better—it is cheap now. I rejoice at it, because there is a sufficiency of our own corn; but to ensure the continuance of that sufficiency you must ensure to the home-grower a protection from the produce of the foreign grower."

Had not Mr. Huskisson admitted the opinion here expressed? He was certain that Mr. Canning admitted that protection to the English agriculturist was necessary; and he was the more certain of this fact, because he recollected the speech of Lord Glenelg in the year 1828 in reference to this point. It was then admitted on all hands that a protection to the home-grower was necessary, and it was then merely a question of degree. He had quoted these opinions because protection was the principle on which these statesmen acted—and a very good rule too. At present the noble Lord the Member for London maintained the propriety of allowing the introduction of foreign corn into our ports at a moderate duty. That noble Lord, in alluding to the agricultural report of 1822, and to the recommendation therein contained for an alteration of the Corn-law of 1815, declared that he was inclined to believe the framer of that report intended to subvert the principle of the law of 1815, and had determined on introducing foreign corn into the market at all times. And again, the noble Lord said, that the principle of admitting foreign corn when prices were low would be extremely difficult to maintain so as to counterbalance the taxes paid by the farmers; that a duty of 40*s* or 50*s*. a quarter could hardly be enacted, and if it were enacted it could not be maintained; and the noble Lord added,

> "If foreign corn were admitted, and the farmer was even subject to scarcely any taxation, he would not be able, having to live in a certain state of respectability, to compete with the lords of Poland and Russia, whose vassals and serfs are unacquainted with the wants of civilised life."

Now he found no fault with the noble Lord, or with any hon. Gentleman, who after due consideration, if they thought their former opinions were erroneous, should openly avow that fact. It had been contended over and over again that those who represented agriculture, and were interested in the land, had no right to protection. Now the agriculturists had asserted that they felt they had a right to protection. They certainly thought that there were heavy burthens which pressed upon the land—not absolutely or exclusively, but in a greater degree upon the land than upon the manufacturing interests; and this position was established by figures and correct data. It had often been stated that the land had to bear the burthen of poor rates, highway rates, county rates, and church rates; and this assertion was taken up as if the landed interest complained that they bore more than their share of those burthens. It was not so; but he repeated he thought the land bore a much larger portion of these taxes than the other interests. This fact was proved by returns made in the years 1826 and 1827, which showed the amount to be much the same as now under these heads (for he had not looked to more modern returns). The amount paid under these three heads in the two years was 18,954,000*l*.; and what portion of this was paid by the land? Why mills and factories out of this sum of 18,954,000*l*.

paid 259,565*l*. Another argument which had been used for the abolition of the Corn-laws by hon. Gentlemen who were connected with the manufacturing districts was, that they had created that distress which he, in common with other hon. Members, sincerely deplored; for foreigners, it was said, would not take our manufactured goods because we did not take their corn. But the returns made to the House of the quantity of exported goods and imports of foreign corn disproved this argument. In 1829, the number of quarters of wheat imported into this country was 1,340,000 quarters; the value of the manufactures exported from this country was about 20,000,000*l*. In 1833, the imports of wheat amounted to only 82,000 quarters, but the export of manufactures had increased to 27,000,000*l*.; and in 1835, when there was a still greater decrease in the importation of wheat to 28,000 quarters, the decrease in the export of manufactures was only to 26,897,000*l*. It therefore, did not follow, because we did not take their corn, that they would not take our goods. No one could fail to sympathize with the distresses described by the hon. Member for Sheffield; but when that hon. Member referred to the flourishing state of our manufactures six years ago, he begged to remind him that the old Corn-law was in force at that period. It was not, therefore, reasonable to attribute manufacturing distress to the operation of the Corn-laws. The hon. Member for Nottingham talked last night of the great want of improvement in agriculture. From his knowledge of that hon. Member he was fully convinced of his ability to master any subject to which he might think proper to devote his attention; but without pretending to oppose his authority as a practical man to that of the hon. Member, he would venture to assert, from his own knowledge and observation, in passing through the country, that a material improvement had taken place in the mode of cultivating land; an improvement which he thought likely to continue if the people could only be induced to lay out their capital, which they would only do on condition of receiving sufficient protection from Parliament to enable them to embark their property with safety in the experiment. But said the hon. Gentleman, the Corn-laws are doomed. Without pretending to the gift of prophecy, he ventured to dispute that prediction, because he would never believe that the Government of this country would ever forget that the support of British agriculture was one of its first duties. The effects of such a course had been too often pointed out to require any repetition from him on the present occasion. One of its first effects would be to diminish the value of land, and if land could not be cultivated with any degree of profit, it must be evident that labour would be thrown out of employment. The evil must ultimately fall on labour, which already felt the effects of depression; for he believed that more persons were out of employment now than at this time twelvemonth and the workhouses were fuller. The reason was, a man preferred reducing his expenditure, by diminishing the number of his labourers, rather than by lowering their wages, already at the lowest point. The hon. Member for Nottingham said he had heard nothing this Session about independence of foreign supply. But he apprehended, that although the danger might be distant, still the time might come when the disadvantages of such a state of thiags might be severely felt. In support of this opinion he begged to refer to a high authority, which was no other than that of the late President of the United States, Mr. Van Buren, who had pronounced an opinion that nothing could compensate a people for a dependence on their own resources, and that abundance on which their happiness so much depended, and which was to be looked for nowhere so much as from the industry of her agriculturists and the bounty of the earth. He was unwilling to detain the House, but he might be allowed to say a few words as to the course which had been adopted by her Majesty's Government, and by those who supported them, during the last Session, as to any alteration in the Corn-laws. In the course of the debate several allusions had been made to this subject; and hon. Gentlemen on that (the Ministerial) side of the House, connected with agricultural districts, had been taunted with having abandoned the interests of their constituents by supporting the Corn-law of last year. One hon. Gentleman had said that the farmers had been deceived by those in whom they had placed the utmost confidence. With regard to himself—and he believed he might answer for his hon. Colleague also—he begged to say, that this charge was totally unfounded. So far from pledging himself to his constituents to support the former Corn-law, he had always told them that they might rest satisfied that some alteration in the scale of duties would be proposed, and that at no distant period. He contended that the only course a person of common prudence could take, in order to promote the interests of his constituents, was to support such a measure as that introduced on the subject of the Corn-laws by the right hon. Baronet at the head of the Government. That measure was opposed by one section of the House, because they did not approve the principle of a sliding-scale; and by another party because they wished for the entire abolition of the duty. Therefore, although he thought the right hon. Getleman had carried his reduction of duty further than was advisable, he believed, that the only chance they had of maintaining such protection, was by accepting, or he would rather say, reluctantly acquiescing in the measure adopted last year. He must be allowed to refer for a few moments to a speech delivered last evening by the hon. Member for Wallingford (Mr. Blackstone). He regretted that the hon. Member was not now in his place; but as the hon. Gentleman had spoken on this subject with some degree of warmth, he might not, perhaps, deem it necessary to be present at the division. He had for a long period had the pleasure of knowing that hon. Gentleman, and entertained for him the greatest respect; but he regretted that the hon. Gentleman had indulged in observations which had been described in an organ supposed to represent the views of hon. Gentlemen opposite, as exhibiting "the recklessness of the Miltonic Satan." The hon. Member for Wallingford had said, that he agreed with the noble Member for Sunderland (Lord Howick) that the farmers were beginning to advocate the system of free-trade in corn,—not that they approved of free-trade, but they were so reckless of all consequences, so utterly in despair as to their future prospects, that they were willing to join in the cry for total repeal, and for free-trade in corn. Now, he must say, that he thought this was a libel upon the common sense of the farmers of England. But the hon. Member for Wallingford also said, that the farmers felt "that they had been deserted by those to whom they had naturally been accustomed to look up whenever any measure was in progress that was calculated to injure their interests—namely, the resident nobility and gentry of the country, from whom they now met, in their hour of destitution not only with no support, but with every kind of hostility." He considered that this assertion of the hon. Member for Wallingford was a libel upon the nobility and gentry of the country. He would like to be informed in what this hostility consisted, and how it had been exhibited. The hon. Member had stated, that he had presented a requisition to the high sheriff of Berkshire, requesting that a public meeting might be convened to promote the object of protection to agriculture, and that to that petition the signatures of only three magistrates were attached. He thought that instead of this fact showing any hostility to the interests of the farmers, it only proved that the magistrates placed very little confidence in the hon. Gentleman. The hon. Member could not expect that such observations as those to which he had referred, would be allowed to pass unnoticed. They were such observations as he (Mr. Palmer) might not have been surprised to hear from a political opponent, but he could not have anticipated that such remarks would have been made by a political Friend. In conclusion, he would again express his belief that if the Corn-laws were repealed, those evils to which he had alluded would follow; but if that law were doomed—if the hon. Member for Nottingham were a true prophet—it might be his fate to share in the consequences of that calamity, but it should never be said that he had added to that misfortune the disgrace of contributing to the result.

Mr. *H. Marsland* said, he thought those who were favourable to the repeal of the Corn-laws had no reason for despondency. The mist of ignorance which for a long period had overspread the minds of those who were previously favourable to monopoly had been dispelled by the vast extent of information on this subject which had been disseminated throughout the country, and the principles of free-trade had been recognised by her Majesty's Government, by whom they were formerly repudiated. Every succeeding Session they went still further in their abandonment of their anti-free-trade principles, and that which was formerly a question of principle had now become merely a question of time. He thought the assertion that the landed interest bore a larger proportion of the public burthens than was imposed upon other property, had been refuted by the rejection of the motion of the hon. Member for Sheffield (Mr. Ward). The Chancellor of the Exchequer had held out hopes to the House and to the country that trade was reviving; but he feared that this was not the case, and that these representations were only intended to lull the House into a fatal security. The right hon. Gentleman, the Vice-president of the Board of Trade, had deplored with great feeling the extensive distress which existed in the country; but he found consolation in the consideration, that though the people were not so happy as they might be, they were not so wretched as they were a century ago. They had been told that the consumption of animal food and of other necessaries of life was greater in this country than in any other country of Europe; but while many of the people were enjoying all the luxuries of life numbers were literally famishing. Was the country to be satisfied with an assurance that the number of deaths were less this year than in former years? It was true that numbers who could not find employment at home were leaving our shores for better climes; but it was no less true that numbers had fallen from want of that food which wicked legislation forbade them to procure in return for their labour. Whatever might be said by Gentlemen opposite, he imagined that few of the manufacturing classes would not be better off from cheapening their food, and he was convinced that if Providence had not been beneficent as regarded the seasons, the misery of the manufacturing operatives would have been most appalling. If hon. Gentlemen were not able to look beyond the present scene, and anticipate what was likely to happen, yet they might draw inferences from the past, and they would find that the agricultural labourer had always been most prosperous when food was most abundant. It was said that all change was bad and ought to be deprecated; but the agricultural labourer was surely not so satisfied with his present state as that he should dread any change, however sudden it might be. Another class for whom the Corn-laws were said to be maintained were the farmers' class; but certainlyif there were any class which derived no advantage from the Corn-laws it was that; for they took their land at a fixed price when the price of everything else was unfixed and fluctuating, not from the nature of the case, but in consequence of unsound legislation. That which the farmer really wanted was to know on what he had to depend; if he were once assured of that he would then bestir himself, and apply the improvements of science to agricultural processes. Their rents were overwhelmingly too high; and that they were so, appeared from the deductions which were continually made at the rent-day with so much applause. This power of exacting high rents arose out of the Corn-laws, and of this truth the farmers, who were slow to learn, and only to be taught by sad experience, were beginning to be aware. But, supposing the Corn-laws were repealed, the landlords would not be so much affected as they would be by the destruction of manufactures, which, however, could be no longer carried on to their former extent under the existing system of restriction, for, though it had been said that manufactures had flourished under Corn-laws, it was certain that they would do so no longer. Now, if repeal of the Corn-laws was essential to the welfare of all classes, immediate repeal was no less desirable. In the present state of uncertainty all business was suspended; no leases were entered into, the agricultural labourer was thrown out of employment, and the whole nation was suffering injury, without any correspondent advantage. But, he believed that, in fact, the authors of the present law were already numbering its days; but what the House might be disposed to do with it was a different thing, for he believed that no feelings of humanity, no sense of justice, would compel them to do justice to those who had so long suffered wrong at their hands, and that nothing but a necessity arising from the distress of the agricultural districts or the falling-off of the revenue would prevail with the House to change its system. In former times they had heard much of the necessity of having an united Cabinet. How much more necessary was it that there should be unity and consistency in the individual Members of the Cabinet, and that they should not dread the idol that they had made, as the present Cabinet seemed to do; for their acts were in opposition to the principles which they so eloquently announced, an instance of which was given the other night by the right hon. Baronet (Sir J. Graham, who, while holding out as he said the olive branch, and breathing peace to all mankind, produced a measure which, although ushered in by all these honeyed words, was unequivocally calculated for nothing but to let forth the waters of strife.

Sir *Edward Knatchbull* said, that the best claim he could prefer for the indulgence of the House, was to assure them his words should be but few; he rose only to declare his intention to vote in direct opposition to the motion of the hon. Member for Wolverhampton, and to give his unqualified support to the law as it now stood. But, before he addressed himself to the subject of debate, he might be allowed, indeed it would probably be expected of him, to offer an observation on what had fallen from the hon. Member for Wallingford last night respecting himself. Having been so pointedly referred to by the hon. Member, he should not be acting respectfully to the hon. Member if he neglected to reply to him; and the hon. Member must allow him (Sir E. Knatchbull) to express his unfeigned regret, that the hon. Member did not hear the able reply which had been made to him by the hon. Member for Berkshire (Mr. R. Palmer). The hon. Member for Wallingford had certainly used such terms with reference to the hon. Member for Berkshire, as he had hardly ever heard used in that House by one Member to another, whom he professed to call his friend; but all that had been so fully answered by the hon. Member for Berkshire, that any remarks of his (Sir E. Knatchbull's) would be uncalled for. With respect to himself (Sir Edward Knatchbull) the hon. Member accused him of having deserted the cause he had heretofore supported, and added, that formerly he would not have taken that course. It was a matter of regret to him that the hon. Member had made that observation; he did not deny the hon. Member's influence in that part of the county with which he was connected, and where he took a decided lead; but he hoped that the hon. Member would not mislead those with whom he was now acting. He hoped that they would not be misled, for he appeared to be a convert to principles which he had hitherto opposed. [Mr. *Blackstone:* "No."] What the hon. Member had done had tended most to further the views of those to whom the hon. Member had been opposed. The hon. Member now said, that he had not changed, and he rejoiced to hear it, though what the hon. Member had said, had given much pleasure to those to whom he had been hitherto opposed. The hon. Member, however, had stated most erroneously, and without any ground or foundation, that he had deserted the cause he had hitherto supported. He was not aware of any great difference, or of any difference at all, between the hon. Member and himself. On the question of principle, he took it, they were altogether agreed. He (Sir E. Knatchbull) was decidedly in favour of protection to the agricultural interest as a general rule, but if the hon. Gentleman thought that, because in a measure to be submitted to Parliament they happened to differ, he (Sir E. Knatchbull) had deserted the cause he had always supported, the hon. Member was wholly mistaken, and he could not but hope that the hon. Member would take no course which would lead to the serious injury of the cause they both wished to support. The noble Lord the Member for Sunderland (Viscount Howick) told the House that, though he was an advocate for a low fixed duty, he would vote for the present motion; but he did not suppose that the hon. Member for Wallingford would pursue the same course, for the purpose of uniting with a body to which he and the hon. Member were alike opposed. Apologising for thus referring to the matter personal to himself, he would address his observations to the question directly before them. He had already intimated that he approved of the present law, and that he intended to give it his support. It had been said, that this law had been proposed preparatory to the entire abolition of the Corn-laws. He apprehended that this was not the case. When that bill was proposed the Ministers took all the great interests of the country into their consideration, and they submitted to Parliament a measure which they believed would be beneficial to the interests of the whole community. It was not intended as preparatory to a repeal of the Corn-laws, but to place on the surest foundation a law which he believed to be indispensably necessary, not only for the agricultural, but for all the interests of the community. He was told, that in passing it, they were acting from first to last on the principles of free-trade—that he denied. It was said, that the landed interest were all powerful in that House, and that his right hon. Friend (Sir R. Peel) was the advocate of the principles of free-trade, and would carry them out if he were not controlled by the agricultural interest; if this were so, how was it that there was so much dissatisfaction throughout the country as had been described by the hon. Member for Wallingford? If this were so, how was it that his right hon. Friend did not use the power he possessed, and avail himself of this control to satisfy the agriculturists? It was asserted again and again, that this was a landlord's question, and this proposition also he decidedly denied. It was for the interest of the landlords, of the tenants, and of the labourers, that this protection should be given to agriculture; it was for the interest of the tenants. Let him take as an instance the case of the occupier of a farm, at a rent of 100*l.* a year, and let him assume that this farm returned five rents. It was said, that the object of the Corn-laws was to keep up prices, and that the object of the abolition was to reduce prices. Now in the case he had put, if prices were reduced 50 per cent., the interest of the landlord would be reduced from 100*l.* to 50*l.*; but how would stand the case of the tenant? He had to make four rents to the landlord's one, and at the same rate of loss per cent. the tenant's loss would be 200*l.* out of the 400*l.* If this were true, what would be the situation of the labourers? When the tenant had lost 50 per cent., it would be utterly out of his power to give such employment to the labourers, and to place them in that state of comfort and ease as the tenant would desire. The hon. and learned Member for Bath had stated that the House had refused all inquiry, that they were told that the people were in a most distressed condition, and yet that the House refused all relief. He was sure the hon. and learned Member would see that this was not a fair way of meeting this question. Let him ask what they had been doing during the last three nights, but enquiring into the necessity for a Corn-law, or whether it could be abolished? The only difference between this and the mode suggested by the hon. Member for Wolverhampton was whether the Speaker should be in the Chair or the House should be presided over by the Chairman of the committees and when the hon. and learned Member for Bath said, in an invidious way, that the House would not go into an inquiry, he must reply that the House was actually discussing the question as fully as if it were in committee. They had been told that the farmers throughout the country were very desirous that the law should be changed, that free trade should be established, and that the Corn-laws should be abolished. He was sure, however, that the assertion would be contradicted by the united voice of the farmers in the county he represented; for their opinion was in favour of the view which he (Sir E. Knatchbull) took. Let him remind the House that the question they had to decide that night was, whether there should be a total repeal of the Corn-laws, and whether there should be any protection whatever given to the agricultural interest. Hon. Gentlemen opposite said that it would be expedient, and wise, and just, and that it would tend to relieve the difficulties under which too many people in this country were now labouring, if this law were abrogated. It appeared to him that if this were done the principle of free trade must be made of general and universal application. But though hon. Members opposite who supported the Anti-Corn-law League might be prepared to support that principle, it was one which, in the present state of the country, no man in his senses would advise the Parliament now to adopt. He was at a loss to understand how it would be possible to apply it. If they applied it to the agricultural interest, he prayed them to take into their consideration the exclusive burthens borne by the land. If he talked of the land-tax as a burthen, he should be told that it was an arrangement between the Crown and the landowners, and that the landowners gained a great deal by the arrangement; but the land-tax, the poor-rates, the highway-rates, and the Church-rates were undoubtedly taxes paid exclusively by the land. But he did not rely upon them alone in a question of this kind. There were other restrictions and liabilities. What did hon. Gentlemen say to the malt tax? What did they say to the duty on spirits? It might be said that these duties were paid by the consumer. Be it so; but they placed the agriculturists under restrictions, and prevented them carrying on the culture of the soil by the most beneficial system. He would be the last person to vote for a repeal of those taxes, but, so long as they continued, it would be impossible to place this country under a system of free trade. Suppose, however, they succeeded in repealing the Corn-laws, he wanted to know what the consequences would be. He remembered having a conversation two years ago with a gentleman, who told him, "If you do not repeal the Corn-laws you cannot carry on the Government for two years." He asked, if they repealed the Corn-laws what would be their state at the end of those two years? His friend replied, "God only knows; things will then be so bad that I cannot anticipate any remedy." There were other liabilities to which the land was now subject—liabilities incurred since the law had been passed. There were pecuniary liabilities, charges created by family settlements—liabilities created under a system of protection, and which could not be met, if that protection was removed. [*Opposition cheers.*] Did hon. Gentlemen mean to say that a sweeping measure of the Corn-laws was to make no provision for those liabilities? Even those who supported a change did not object to a duty on corn. Lord Fitzwilliam had been often quoted as an advocate for a repeal of the Corn-laws; but in writing to the chairman of a meeting held some time since at Birmingham, he said, "You are probably aware that I consider corn as fit a commodity as any other to contribute to the national revenue, and this is consistent with perfect free trade." A duty on corn, therefore, was considered by that noble Lord as consistent with free trade, and yet if any one person supported a change more ardently than another it was Lord Fitzwilliam. They had been told by the hon. and learned Member for Bath that the best course to be pursued was to speak the truth in language which was courteous but not offensive. This was good advice, but it was not that on which the hon. and learned Member and others acted. The hon. and learned Gentleman said that the repeal was advocated with a view to give relief to those who were suffering, and by that statement the hon. and learned Gentleman obtained a more ready ear than if they had told the whole of their reasons. It was his opinion that the operations of the Anti-Corn-law League were inconsistent as well as adverse to the principles of the Constitution, and he hoped that the good sense of the people would not be led away by their proceedings. He must say, that he thought it would have been well if they had applied their large funds to relieve some of the distress that existed in the country.

Lord *John Russell* observed, that he had upon many former occasions expressed his opinion that a duty ought to be imposed upon the importation of foreign corn, and yet, he must confess, entertaining that opinion, that he looked with considerable alarm upon the course that was taken in this debate, because he found that those who had, upon a former occasion, most strongly defended the Corn-law, had abandoned their former arguments, and had taken up a new and an unsafe position. He found, that Members who defended the imposition of a duty on foreign corn, and especially those Members who were the Ministers of the Crown, placed their defence upon grounds that were utterly untenable. The right hon. Gentleman who began this discussion on the part of the Government had described the landowners of this country, who hitherto had represented themselves, and were considered by many writers and speakers on this subject, as the great and central body upon whom mainly all other classes depended, and by whom, in a great degree, the welfare of the country was sustained, the right hon. Gentleman had described them as mere sinecurists, to whom a short time to turn themselves should be allowed, and to whom some compensation should be made when the advantages they possessed by law were done away with. And now, another Member of the Cabinet, the right hon. Baronet the Paymaster of the Forces, came forward and told them that one of the reasons for keeping up this law was to keep up prices in order to enable the landed gentry to provide for the obligations which they had entered into by their marriage settlements and by their settlements on the younger branches of their families. He certainly thought that there were different grounds for believing that a duty might be imposed upon corn, as upon other articles of raw produce, or manufacture, introduced into this country; that a fixed duty of a moderate amount might be imposed upon it, as upon other merchandise, that the importer might know what he had to pay, and that the trade in this article might not be unduly embarrassed by the imposition. He considered, that when they had made an amended tariff, imposing light duties on various articles of produce and manufactures, that no difference should be made between foreign corn, and other foreign produce. On that ground, he thought a duty on corn defensible; but if this were to be the manner in which such duties were to be defended—if, on the one hand, all the landed gentlemen of this country were to be represented as no better than sinecurists, and if, on the other, it were said to be the duty of Parliament to provide for the obligations entered into by the marriage settlements of the gentry, then he must say, that really he should be unable—

Sir *E. Knatchbull* rose, in explanation, and begged to say that all he had intended to affirm was this, that obligations were entered into under the existing law, that these obligations were sometimes in the form of marriage settlements, and that, undoubtedly, if they were now about to deprive those who had entered into such obligations of the means of fulfilling them, then they would do a great injustice, unless they accompanied the act of abolition, with some other measures.

Lord *John Russell* continued to think, after the explanation of the right hon. Gentleman, that what he had already stated fully agreed with that explanation. It was the opinion of the right hon. Gentleman that after marriage settlements had been made by landowners, an injustice would be done to them, unless Parliament provided by its measures the means of fulfilling their obligations. He thought that what was meant by this was, not that the Corn-law ought to remain, but that if it were removed, then it would be the duty of Parliament to consider what was the amount of compensation to be given to the noblemen and gentlemen who were interested in maintaining the Corn-law. If the hon. Member for Wolverhampton should carry his motion, he supposed they would hear a similar proposition to that made in the great case of compensation to slaveholders, on the passing of the Slave Emancipation Bill, and that the right hon. Member would then state the amount at which he rated the compensation to be given to the landholders. There was, however, another question upon which the right hon. Gentleman had stated his opinion, and that was upon the speech of the hon. Member for Wallingford. Never had he heard advice given in a more impressive manner than by the right hon. Gentleman to the hon. Member for Wallingford. Never had he heard anything more impressive except upon one occasion. It was this: A gentleman, who had unfortunately lost a great deal of money at the gaming-table, addressed a young man, who showed a propensity to the passion for play; he assured the young man, that it was a vice in which he could not indulge with impunity, that it disquieted the mind, that it caused a total loss of power, that to abandon oneself to it, was for ever to give up all hopes of repose, and in short delivered a sermon, which was far more impressive, coming from such a man, than if it had come from the most virtuous of mankind; and so it was, when the right hon. Gentleman advised the hon. Member for Wallingford "not to mislead those with whom he was acting." Now, such advice, coming from him, could not but prove more impressive than coming from any other hon. Member of this House. "The hon. Member for Berkshire says (continued the noble Lord) whatever may be the course he pursues, there must be some change in the Corn-laws; and he told his constituents, that he would not oppose a reasonable modification of those laws. I have no doubt, that when he states this he states his own individual case; but with respect to the Members of the landed interest in this House, they are generally opposed to the proposition of a fixed duty of 8*s.* which was made in 1841; and I should say the right hon. Gentleman, the Member for Kent, as much so as any other hon. Member. The notion he inculcated was, that a change in the Corn-laws, and especially one which would reduce the price of provisions, would be a most calamitous proceeding. I have lately refreshed my memory by looking into the speech of the right hon. Gentleman; but I will not, upon this occasion, trouble the House with the various calculations into which he went; but upon the question of the sugar duties, and upon some other occasions, he pointed out the mischief that would result to the labourers if the price of corn were reduced, and stated that where they got wages of 6*s.* a-week, they would get only 4*s.*, and, therefore, it was most desirable to oppose any change in the Corn-laws by which foreign corn would be introduced in large quantities, and the price of corn and bread be thereby considerably reduced; but what is his position at present? He is a supporter and a colleague of the First Lord of the Treasury, who told the

House repeatedly in the shape of a prediction, and this year spoke in confidence and triumph of that prediction having been accomplished, that his object was to reduce the cost of living, and to lower the price of provisions, and he rejoiced in that very consequence which the Paymaster of the Forces warned the House against, and on account of which he called upon the country to oppose the late Ministers because he considered it a great calamity. With regard to a warning against misleading the country, I do not know that the hon. and learned Gentleman, the Member for Wallingford, has done anything to need such warning; but I am sure he will be impressed with the example as well as the words of the right hon. Gentleman. The hon. Gentleman, the Member for Wallingford, has brought testimony to what he states to be a fact, and which, from the various instances I have heard, seems to me to be not peculiar to that part of the country with which he is conversant—namely, that a great many tenant farmers of this country do now, as they did with regard to the tariff, desire not to be kept in a state of continual uncertainty; for if they are not to have any assurance that this law is not to be swept away, it is a question with them whether they can continue in their farms with any hope of profit. That is a very natural consequence of the course which has been pursued by the present Government, of expectations held out to the farmer that protection would be continued in its then state, of the complete disappointment of those expectations by the adoption of a contrary theory, of the uncertainty which still prevails with respect to the present Corn-law, and of the anonymous publication said to be written by a right hon. Gentleman (Mr. Gladstone), who tells the world, that the present law is to be mutable, according to times and circumstances. I think that with all these things going on, it is not wonderful that there should be an inclination on the part of many of the farmers of this country, to give up that protection altogether. Now, with respect to the question itself, which my hon. Friend, the Member for Wolverhampton, has proposed, I must, as I have said, maintain the doctrine I have hitherto held upon this subject. In stating now my opposition to that motion, there is no necessity for me to declare the exact amount of duty which would be a fair compromise between the various interests of the country. My opinion, however, is that a moderate fixed duty should be imposed. I expect that would answer two objects, which it appears to me are perfectly consistent with the general doctrine of freedom of trade. Those who hold the doctrine of freedom of trade, whether as writers and philosophers, or as statesmen and politicians, have always said this:—In the first place, that if you were to make a change with regard to interests that had been long established, you should not rush from one extreme to another; but that you ought to make that change a gradual change. Such was the doctrine held by Mr. Ricardo, a great theoretical philosopher. Such was the doctrine stated in few words by Lord Grenville, a great practical statesman, who said:—

> "If the measures that had formerly been adopted for the protection of trade and manufactures were right, let them be continued; if wrong, let them be abrogated; not suddenly, but with that caution with which all practices, however erroneous, engrafted into our usages by time, should be changed."

He then goes on to state that he is against protection as a general principle. There are other grounds upon which Mr. Ricardo rested a defence of some duties. It is the fashion now to say that there are no peculiar burthens upon the land; Mr. Ricardo maintained the opposite opinion. He said he would not advise, in the case of agricultural protection, an immediate abolition of the duty, and he thought there was a case for some duties, because he considered there were burthens which pressed exclusively upon the land, and he went on to state those burthens. Now, Mr. Ricardo may have been entirely mistaken in that opinion, but he has been followed by Mr. M'Culloch, another authority on this subject; and I do not think we ought, without the fullest inquiry, to condemn the opinions of men of their eminence. For my part, I concur in those opinions. I think I should have been able to maintain them if the committee which was moved for this year to inquire into those burdens had been granted. I think that inquiry would have made out that case. But had it made out the reverse, at all events the truth would have been known, and the facts would have been before the country; and I must say, that I think it is a great disadvantage to maintain the statements of Mr. Ricardo and Mr. M'Culloch, when the House refuses any inquiry to show what those burthens on the land are. It shows an apparent weakness on the part of those who maintain the doctrine that there are any burthens on land. But when my hon. Friend, the Member for Wolverhampton, asks me to agree to go into a committee, with a view to the immediate abolition of the Customs' duties upon corn, I reply, that those words appear to me to be totally unnecessary. My hon. Friend has on former occasions proposed to go into committee of the whole House on the Corn-laws, and I have supported him. In 1839 and 1840, I voted with him upon that resolution. Now, when a Minister proposes any change of the Corn-laws, he proposes simply that the House resolve itself into a committee on those duties. That is the Parliamentary mode of proceeding. What has induced my hon. Friend to vary from that usual form of the House, I imagine, is a desire to elicit from the House an opinion whether or no it is in favour of a total and immediate abolition of those duties. Taking the motion in that view, therefore, I should not think it a wise course to give a vote in support of that motion. My noble Friend, the Member for Sunderland says what is perfectly true in Parliamentary proceedings—that he will go into that committee, and that the resolution which he might support might be a resolution for a moderate fixed duty. It is perfectly true that he has the power of doing so. But when the motion is so framed, without any necessity, and put in this form, I should expect, if I gave my vote in its favour, to find the next day that it was generally understood I voted for the abolition of the Corn-laws. Though I certainly could act in the same way as my noble Friend, technically considered, I think it is far more intelligible to give my negative to the proposition of my hon. Friend. If anybody should hereafter move a resolution in the usual form, to go into committee of the whole House. [" *Move, move.*"] Well, I should have no objection to make such a motion myself, if I saw that any public good were likely to arise from it. I certainly feel that the case of the sliding-scale of duties is more indefensible than ever it was before—so indefensible that it seems an unnecessary taking up the time of the House to say anything further to expose its defects. I consider, if nothing else showed that the speech published as an argument upon the subject, made in the House of Lords by Lord Monteagle, is unanswerable, and until something like an answer is given to it, I hold it unnecessary to go into any further argument upon the subject. The general objection to the sliding-scale is this, that it keeps out corn during the time it might be usefully brought into this country; and, on a sudden, brings in corn in a flood when the consumer has less need of it, and the farmer is sure to suffer in consequence." The experience of last year, the noble Lord continued, had still more confirmed this view of the subject. It was not a new subject, as the right hon. the President of the Board of Trade, had endeavoured to argue. But, in fact, the evils of the present law during the past year had been exactly of the very same kind as those of former years under the former law, and were referable to the principle of the sliding-scale. The evils might have been mitigated, but still they were of exactly the same description, and would always remain so while the sliding-scale remained in force. One objection to a fixed duty on corn had been answered the other night by the Vice-President of the Board of Trade. It had been said, that a fixed duty must either be maintained in a time of scarcity, or, if the duty was allowed to fall to a nominal duty at very high prices, then the effect would be the same as under the sliding-scale, and scarcely any corn would be admitted. But the Government having made a small approach to a fixed duty, the Vice-President of the Board of Trade made a statement which went to show that the importer of corn did not wait until corn reached an extravagant price. If this was the case when a small change approaching to a fixed duty was introduced, it was quite clear that under a moderate fixed duty corn would be regularly admitted as it was required, and dealers in it would conduct their operations, not in the spirit of gambling, but would treat it as any other article of regular merchandise. These were his views with respect to the present state of the corn question. He certainly expected, that before long the present Corn-law would be altered; but he should hope that it would be altered in such time, and with such conditions as would enable them to assimilate it to other articles the produce of manufactures, and that such arrangements might be made as would not spread alarm and panic among the great body of the farmers of this country. He trusted, that they would arrange the question in such a manner as that the arrangement might not appear a mere yielding to fear, but a wise settlement, founded on the principles of political economy, and a just regard to the welfare of all classes. But if they went on from year to year, and from debate to debate, allowing all the argument to preponderate on one side, and not attempting, in defence of the law, to rest it on any principle on which it was formerly defended, but supporting it merely with the air of apologizing for its continuance for two or three years longer—if this were the tone adopted, he was afraid that they would very soon have to make the settlement of this question in anger, instead of calmness and wisdom. Wishing to deprecate such a conclusion, he should be ready either to support or to make a motion for reconsidering the question of the Corn-law. He could not, however, vote for the proposition before the House, for he did not think his concurrence in such a motion would be an intelligible course, or consistent with the views he held.

Mr. *Darby* observed, that the speeches of the two noble Lords, the Members for London and Sunderland, were full of inconsistencies and misrepresentations, and, as an example of this, the former had first proposed an 8*s*. duty, then an 8*s*. duty with the power to issue an Order in Council affecting its operation, and then he gave up the Order in Council. The noble Lord, the Member for Sunderland, now said he would vote for this motion, whilst the noble Lord the Member for London said he would not; but did the noble Lord the Member for Sunderland wish that in so voting he should be considered as desirous to vote for the repeal of the Corn-laws—a thing which the noble Lord the Member for London expressed a fear he would have been suspected of had he voted for this motion? The advocates of repeal had never yet been able, and they never would, to answer this case, that if we had a fixed duty we should be admitting corn at a time when we could supply it ourselves, and that, having it, it could not be maintained at a period of high prices. The inconsistencies he had heard on the opposite side were most extraordinary. One hon. Member said "Give us cheap bread," and another "It will make very little difference on that score;" one said it was a landlord's question, and another that it was a manufacturer's question. With reference to what the hon. Member for Wallingford (Mr. Blackstone) had said about 900 signatures to a requisition containing the name of scarcely a single magistrate, and as to the desertion of the farmers by the landlords, he was astonished to hear this, having always heard the landlords accused by the opponents of the Corn-laws as advocates for protection of every kind, and as backing and supporting their tenantry. He contended that the agriculturists had done right in concurring in the Corn Bill of the Government, when he reflected on what was the state of the country at the time—the state to which the late Government had reduced it. The hon. Member for Wallingford could not have formed a Government at that time. But the past year was not a year from which to judge of the present law. They could not satisfactorily judge of the Corn-law at this time. He did not himself believe that the present depression in which the manufacturing interest found itself would be permanent. It was very well to talk of importing corn, so long as they could import it beneficially for the people; but if it was to be imported to an unnecessary extent, which would, no doubt, frequently be the case, they would thus be displacing a great portion of the home agricultural produce, and, consequently, a great part of the labour of the country. If they were to agree to this motion, he was satisfied it would so disarrange labour and capital, and all commercial and agricultural business, that every man who voted for it would have cause to regret the vote he had given in favour of it. A fixed duty could not be maintained, in his opinion, in case of a defective harvest; and considering this to be a true principle, and reflecting on the many other arguments that appeared to him convincing against this motion, he could not give his assent to it. He had never heard any such assertion on the part of any Member of the Government, that this law was only to be maintained for a short time; all that he had heard was, that the right hon. Baronet would not pledge himself to maintain this or any other law of a mere commercial character at all times and under all circumstances—and, certainly, this he would say, that if the Government, when they passed the present Corn-law, contemplated at the time they brought it forward as, professedly, the best which in their judgment they could introduce, any further change, they were guilty of a great breach of faith, and he, for one, would never give his support to such a Government for another moment.

Debate adjourned.

The House adjourned at ten minutes after twelve.

HOUSE OF LORDS,

Friday, May 12, 1843.

MINUTES.] NEW MEMBER SWORN.—The Earl of Caledon.

BILLS. *Public.—Reported.*—Testimony in the Colonies; Registration of Voters.

Private.—2ª· St. James's (Westminster) Improvement.

Reported.—Bourn Drainage.

3ª· and passed:—Newport (Monmouth) Gas; Norland Estate Improvement.

PETITIONS PRESENTED. By the Earl of Bandon, from several places, for Encouraging the Schools in connexion with the Church Education Society in Ireland.—By the Marquess of Breadalbane, from Barr, and Kilmarnock, for settling the Scotch Church Question, and against the Law regarding Patronage.—By Earl Fitzwilliam, from a number of places, for the Total and Immediate Repeal of the Corn-laws.—From Bandon, against the Medical Charities (Ireland) Bill.—From Cork, for further Corporate Reform in Ireland.—From Petworth, against the Canada Corn Bill.

SUDBURY DISFRANCHISEMENT.] The Peers were employed through a great part of the day in hearing evidence on the Sudbury Disfranchisement Bill; the proceedings were adjourned till Thursday.

CHURCH OF SCOTLAND.] The Marquess of *Breadalbane* having presented two petitions, complaining of the interpretation put on the laws as they concerned the Scotch Church, said, that what had been lately stated by his noble Friend (the Earl of Aberdeen), as to the intentions of the Government, in respect to legislating for the Church of Scotland—was of such great importance to the people of Scotland, and it was so desirable, that the principles on which the Government meant to legislate, should be correctly known, that he wished to state what was his understanding of the Ministers' plan, as stated by his noble Friend. His understanding, then, of what Ministers meant to do was this: that the Government was willing, and intended to bring in a bill, founded on the principle of giving to the congregation of every parish full power to object to any presentee, and refuse an immediate call for any reason whatever; and, as he comprehended it, they were not to be called on to assign any reasons for rejecting a presentee, other than their conscientious conviction, that the man was not likely spiritually to edify them. He also understood that the Government was prepared to give the presbytery the power of deciding on the rejection by the parishioners, and judge of that without being subject to any interference by the civil courts, and subject only to the approval of the General Assembly as a court of appeal. The power was to be given to the presbytery, to judge and decide without stating their reasons, and to judge not only of the general fitness of the presentee, but of all the circumstances regarding the election. If he were correct in the understanding of the statement of his noble Friend, it would not only establish the just rights, but grant to the Church what ought to satisfy the Church and the people of Scotland. Another point was the *quoad sacra* Ministers, regarding whom his noble Friend had not stated his views, and that was a most important subject in the present state of the Church of Scotland. He hoped, that his noble Friend and the Government were prepared to legislate for the *quoad sacra* Ministers, so as to give them a status in the Church, on the Presbyterian principle, that no Minister of that Church should be greater than another, and that all should be on a footing of perfect equality.

The Earl of *Aberdeen* said, that his noble Friend had rather closely and repeatedly questioned him on this subject. He desired to give his noble Friend every reasonable degree of satisfaction, but he could not help suspecting that this repetition of questioning did not depend so much upon any want of explicitness on his own part, or of obtuseness of comprehension on the part of his noble Friend, as upon the desire entertained by some persons to extort from her Majesty's Government at the last moment some declaration beyond that which in their deliberate judgment they had approved of. He had, however, no objection to repeat the principles of the measure which her Majesty's Government was prepared at a fitting time to bring forward. It was, undoubtedly, intended to give to the congregation the unlimited power of objecting to the presentee, and the presbytery were to have the power of deciding and judging of the whole case, without the control of the civil courts. The reasons, however, must be stated, and in all cases the ground of the judgment must be recorded. He abstained entirely from stating the modifications with which those principles would be accompanied, because he perceived how liable those modifications would be to give rise to cavil and misrepresentation elsewhere. It was the determination of the Government to support such measures as would give satisfaction to every reasonable person. His noble Friend professed himself satisfied, and he anticipated the best effects from the resolution of the Government. He knew how hopeless it was to expect to satisfy certain persons, whom experience had taught him could even pervert the provisions of a bill into a meaning opposite to that they were intended to convey. He would do no more than state the general principles, in conformity to the declaration often made by the Government, and on which they meant to found a legislative measure. He had never before seen an occasion when it was thought necessary, after declaration had been made, to inquire into the details of a measure. The general assembly was to meet next week and then it would be seen whether those who proposed to secede from the Church, would wait to see what were the legislative measures proposed, and ascertain if they met the merits of the question. If, they should secede at once, or if, after that measure were brought forward, they should think it necessury to secede, he could scarcely think that they would be able to appeal to the God of truth, or answer at the last day for their declaration, should they persist in asserting that the persecution of the legislature had driven them from the Church. With respect to the *quoad sacra* ministers, he had only to repeat what his right hon. Friend the Secretary of State for the Home Department had stated, that the Government would take the subject into its consideration, with a view to propose what would be most beneficial.

Lord *Brougham* said, that if his noble Friend's announcement were understood in one sense, it would be an utter, a total abandonment of the claims of the civil courts; and would be calculated to excite much alarm. Taken in another view, it was quite consistent with sound doctrine civil rights, and did not touch patronage. He hoped the former was not the true sense, as it would give the Church an absolute triumph, and the right of patronage would be destroyed. It would not be transferred, as by the Veto Act, to the congregation, but far worse, it would be placed entirely in the hands of the ecclesiastical authorities of Scotland. He objected to the plan of asking questions of the Government as to what it meant to do as to legislation. It was not, in fact, the Government which legislated, it was the Houses of Parliament; and to ask what the Government meant to do as to making laws, was to make the Legislature a sinecure.

Lord *Campbell* thought, the presentees might be objected to on account of being unfit persons, but if they were objected to on account of some civil reasons, such as not contributing to a non-intrusion fund, it would establish a most certain and odious tyranny. As to the *quoad sacra* ministers, he did not object to the Church providing for the wants of the people, but he protested against it having the power of increasing the number of ministers without limitation, and to increasing the number of members of the presbyteries of the General Assembly. The power to divide the parish into two should be reserved for the supreme court.

The Marquess of *Breadalbane* said, if their Lordships were aware of the great importance of the subject to the people of Scotland, they would only think he was doing his duty by bringing forward the question. He thought it was quite consistent with the usages of the House to ask questions of Ministers, and he was surprised at the objection of the noble and learned Lord, who had, in his time, been one of the most stringent questioners of the day.

Lord *Brougham* denied, that he had ever, on any occasion, put a question to Ministers as to the details of any legislative measure. He had asked on what day a certain measure would be brought forward, but he had not asked as to any details.

Petition laid on the Table.

REGISTRATION OF VOTERS.] The report of the amendments to the Registration of Voters Bill was brought up and received,

Lord *Campbell* moved to omit the 71st and 72nd clauses, which refer to the right of voting in counties. The noble Lord stated, that he objected to annual registration, and expressed his regret, that the bill of his noble Friend (Lord J. Russell) had not been successful, which provided that a county voter, when once he was placed on the registry, should not be subjected to removal as long as his qualification to vote lasted. The two clauses which he proposed to omit might be left out, without injuring the frame of the bill. They referred to county voters, and included the 50*l.* tenants at will, or those who were enfranchised by what are called the Chandos clauses. He thought, that those who had a permanent interest in the soil should be entitled to vote, and therefore he had been pleased that copyholders received votes under the Reform Act, but he thought that tenants at will were not independent, and therefore he had opposed giving them votes. At the same time, as they had been enfranchised, he did not propose to take away their franchise, but he objected to extending it. A remarkable proof was lately afforded of the dependence of this class of men. At the late election for the county of Suffolk one of the candidates had declared from the hustings, that he had not canvassed a single tenant voter without having first received permission of his landlord. Giving votes to tenants at will, therefore, was only a scheme to ensure the votes in possession of the landed interest. It would be far better, in his opinion, to give each landlord a number of votes, in proportion to the amount of his rent, than give the vote to the tenant. The object of the 71st clause was to regulate the registration, and had nothing to do with the franchise. By that clause 50*l.* tenants at will might be multiplied, and to that he objected. At present a tenant possessing a farm of the value of 50*l.* or upwards, must be a twelvemonth in the occupation of his farm before he was allowed to vote. He could not be registered till he had been twelvemonths in possession. By this clause that restriction was wholly done away, and it was likely, he thought, to add very much to the number of such voters. Another part of the clause referred to joint occupiers on a farm of 500*l.*, which now only gave one vote, but might under this 71st clause be made to qualify ten votes. To that he was opposed. What would be the consequence? For the purpose of multiplying votes, especially in counties where strong contests were usual, a great number of nominal lessees would be introduced, so that instead of one vote in respect of a particular property, there might be ten or twenty, or more. These were his objections to the 71st clause. The 72nd clause, on the other hand, instead of multiplying votes, would sweep away hundreds; and there was this other difference to be noted, that whereas the votes multiplied by clause 71, would be, in all probability, votes in favour of the noble Lord's party, the votes swept away, judging from experience, would be to a great extent votes in favour of the liberal side of politics. He did not remember, that any question arising out of the right of trustees to vote had come before his noble and learned Friend near him (Lord Denman); but he had it in his power to state to their Lordships, that that distinguished legal authority had stated, that in his construction of the Reform Act, trustees in the receipt of the rents and profits of an estate, though they had not the power to dispose of those rents and profits to their own use, were entitled to vote in respect of such property. The decision also of a great number of the revising barristers had given the vote to trustees so situated. This construction of the act, indeed, was so generally acted upon, that if the right to vote were taken away from such trustees, it would create very extensive changes in the franchise, and in the representation of a great many places. It was quite clear, that all property should give a vote to some person or other, and if the person having the beneficial interest was legally precluded by any circumstance from exercising the franchise, his trustee ought to exercise it. Nevertheless, the 72nd clause of the present bill deprived the trustee of the right of voting. If the Government contended, that the trustees had no right to vote under the Reform Act, then he called on them to strike out the 72nd clause of the bill; for there was the less reason to introduce it, now they had established a tribunal of appeal in the judges of the Court of the Common Pleas, to decide upon all cases of doubt arising out of the registration. Let the judges decide whether or not the trustees have the right; why should their Lordships settle this question by the present bill, and thus blend their judicial and legislative capacities together? Did they mean to meddle with the Reform Act or not? If they did interfere with that act, they would be doing what the present Government had always disclaimed the intention to do. He should, therefore, move that these two clauses be omitted. He did not mean to insinuate that the clauses had been introduced with any insidious object, but supposed they might have been inserted *per incuriam.* The noble Lord concluded by moving the omission of the 71st and 72nd clauses.

The *Lord Chancellor* said, that the object of these clauses was not to alter the Reform Act, her Majesty's Government never had any such intention. That was not the object of any one clause of the bill. Its object was to settle points hitherto in dispute between the two parties, to remove those doubts which had been created by the decisions of the revising barristers, whether on one side or the other, and to establish a certainty upon those questions as far as legislation could in a subject of the kind. With regard to what his noble and learned Friend called the Chandos clause, the law enacted, that any person who was a leaseholder, in a county, and *bonâ fide* liable to a rent of 50*l.* a-year should be entitled to vote at elections for that county. It was the *bonâ fide* payment of the rent which gave him that right, and where there were two joint tenants each liable to a *bonâ fide* rent of 50*l.*, it had been decided by the great majority of the revising barristers that each was entitled to vote—a decision which, in his opinion, was in perfect accordance with the law, although some revising barristers had decided that only one could vote. They were joint tenants to the extent of 100*l.*, and each of them had an interest to that extent, as each was liable for the full amount, although he might, if obliged to pay it, recover one-half from the other tenant, still leaving him *bonâ fide* liable to the payment of 50*l.* So it was in the case of the 40*s.* freeholders. Two joint occupants of an estate of the value of 80*s.* were both enabled to vote; and what difference was there in point of principle between the two cases? Each was entitled, because each was interested to the full extent of the property required to confer the franchise. There was a provision in the Reform Bill respecting 10*l.* householders, which distinctly conferred the right of voting on two joint occupiers with an interest to the extent of 20*l.* So that he saw no reason why the law in the case of 50*l.* tenants in counties should not be made equally as distinct. The argument of his noble and learned Friend was, that the Legislature, having made a distinct provision in the one case and not in the other, it was to be assumed that the Legislature did not intend to confer the right of voting in the latter. But, in the one case, it was necessary, and in the other not, and for this reason, that there were things requisite besides right of property, such as residence, rating, and other circumstances, which distinguished the right of voting in towns from that of counties, and rendered a distinct provision prudent in the one case where it was not necessary, or, at least, not considered necessary, in the other. His noble and learned Friend asked why, if their Lordships were satisfied, that this was the law, insert this clause to explain the law, or why not leave it to the new tribunal established by this bill? He was surprised to hear such an argument from his noble and learned Friend. He was surprised to hear him argue that the Legislature ought not to make a law to remove doubts, because there were judges to settle those doubts. In his (the Lord Chancellor's) opinion, that was one of the first duties of the Legislature. To the second objection of his noble and learned Friend the observation also applied, that the great majority of the revising barristers had decided the point—had decided that trustees, who had no beneficial interest, had no right to vote; although he was ready to admit that some of the revising barristers had decided directly the contrary; and it was for the purpose of settling this very important point as well as other points, that the present bill had been introduced. His noble and learned Friend said that they were taking away by this bill from trustees the right of voting. If so, when was that right conferred? If his noble and learned Friend said it was conferred by the Reform Bill, he would point to the declaration of Lord J. Russell and Sir W. Horne, who was Solicitor-general when the Reform Bill was under discussion, that they meant to make no alteration whatever in the law as related to trustees. If, on the other hand, his noble and learned Friend meant to assert that trustees had a *bonâ fide* right to vote before the Reform Bill, he could quote an authority against him, for which he, and he was sure his noble and learned Friend likewise, entertained a great respect—he meant the authority of Sir J. Campbell, who stated in the House of Commons, that the better opinion of the two was, that trustees could not vote, although he admitted it was a question that had been for some time disputed. The appellate tribunal under the Irish Reform Act, consisting of the judges of the land, had distinctly decided the point—that decision being in conformity with that of the majority of the revising barristers in this country. It was the duty of the Legislature to make the law as precise and clear as they possibly could, and with that view had this bill been introduced.

Lord *Denman* thought, that his noble and learned Friend (Lord Campbell) had laid strong grounds for not making the case of trustees the subject of an act of Parliament. One or two of the revising barristers had decided differently from the majority; but there was no doubt, if the law were not altered, that this question would be one of the first referred to the Court of Common Pleas. Indeed, he suspected that that court would have very little employment under this bill, if by this legislative interference they were to anticipate the decisions to which that court would come. He did not think the doubts of a particular revising barrister formed a sufficient ground for legislative interference. Neither did he consider it judicious to include the three classes of trustees under the one enactment; seeing that their rights were of a separate kind, he thought they ought to undergo a separate consideration. It was a serious question whether the trustee of a minor, for instance, who was receiving the rents, controlling the whole property, and presiding over the expenditure, should not, as the representative of a family, be allowed to vote at an election in the county in which the property was situate. He was decidedly of opinion that these questions ought to be separately considered.

Lord *Wharncliffe* supported the clauses. The noble and learned Lord, the Chief Justice did not seem to feel much confidence in his argument, which was to the effect that the disputed points being very few, it would be as well to leave some of them to be decided by the Court of Common Pleas, otherwise that court would have but little to do. That, he conceived would be a very bad course of legislation to adopt.

On the question being put, it was decided that the clauses should stand part of the bill.

House adjourned.

HOUSE OF COMMONS,

Friday, May 12, 1843.

MINUTES.] BILLS. *Public.*—1°. Waste Land Allotment; Copyhold and Customary Tenure.

Private.—2°. Kendall's Divorce.

Reported. — Clarence Railway; Walton-on-the-Hill Rectory; Belfast and Cavehill Railway; Birmingham and Gloucester Railway.

3°. and passed:—Northampton and Peterborough Railway.

PETITIONS PRESENTED. By Messrs. Villiers, Brotherton, V. Smith, S. Crawford, M. Gibson, Leader, Ewart, Baines, T. Duncombe, Cobden, Wall, G. Berkeley, B. Wood, R. Scott, Foster, and Aglionby, Dr. Bowring, and several other hon. Members, from an immense number of places, for the Total and Immediate Repeal of all Corn and Provision Laws.—From fifteen places, against the Factories Bill; and from one place, for further limiting the hours of labour—From Gloucester, against the Canada Corn Bill.

CORN—CANADA.] Mr. *Gisborne* begged to ask whether the royal assent had been given to the bill passed by the Canadian legislature, and reserved by Sir C. Bagot for the consideration of the home Government?

Sir *R. Peel:* I presume that the hon. Member alludes to the bill respecting American corn?

Mr. *Gisborne:* Yes.

Sir *R. Peel:* The royal assent has not been given to that bill.

MONTE VIDEO AND BUENOS AYRES.] Mr. *Ewart* was understood to ask whether our minister at Buenos Ayres had been instructed to use his exertions to put an end to the hostilities now being carried on between that state and Monte Video?

Sir *R. Peel* said that nothing had been more unremitting and zealous than the exertions of the British minister to prevent what he must call the insane hostilities which had been entered upon. He could assure the hon. Member that our minister had pushed his intervention to the utmost limits short of committing the country which he represented as a party to the war. In all that he had done the British minister had acted in concert with, and received the cordial co-operation of, the minister of France. Before the hostile advance was made, the ministers of the two countries made the strongest remonstrances to the Buenos Ayres government against the proceeding. On the 19th of February a party of marines, both French and English, were landed from vessels in the river Plate, to defend a certain building, in which the property of the French and English merchants was placed. At present there were five ships in the river Plate, and he could assure the hon. Member our minister would continue his exertions to bring about a cessation of hostilities.

THE ANTI-CORN-LAW LEAGUE.] Mr. *French:* I beg to ask the right hon. Baronet, whether the Government is aware of the dangerous excitement which now exists in various parts of the country on the subject of the repeal of the Corn-laws; of the large assemblages who are collected together and addressed by demagogues in dangerous and inflammatory language on that subject; and whether it is the intention of Government to take any measures to suppress such dangerous meetings.

Sir *R. Peel* said that the hon. Member was as competent to form an opinion, as to the extent of the danger and excitement arising from the cause to which he had referred, as he was, for he had access to the same channels of communication. With respect to dangerous associations which were likely to lead to an interruption of the public peace, the course taken by his right hon. Friend, the Secretary for the Home Department, last autumn, a course marked by extreme moderation, combined with great vigour and firmness, when necessary, is a proof that when he believes dangerous associations exist, he will not hesitate to call in the aid of the law for their suppression. Even when Government was certain that meetings were illegal, it must always exercise its discretion as to the propriety of interfering with them. He should be sorry to undertake that at all times the extreme power of the law, as respected illegal meetings, should be carried into effect, without reference to circumstances. With respect to the future course which hon. Gentlemen might pursue, to which the hon. Member's interrogatory applied, until he knew the precise character of those meetings, the circumstances under which they took place, and other matters, a full knowledge of which was essential to the formation of a sound judgment on this point, he must decline giving an answer to the question.

EXPLANATION — BARON GURNEY.] Sir *J. Graham* begged to be allowed to address a few words to the House upon a matter personal to himself. It was most material that every statement made by a Member in that House, but more especially by a Minister of the Crown, should be strictly accurate. In the discussion which took place last night on the case of Jones, who was tried before Baron Gurney, at Leicester, he (Sir J. Graham) stated positively that the learned judge had not made use of the phrase "mad dog," which was quoted by the hon. Member for Finsbury. In this assertion he found he was mistaken. He had had the honour of an interview with Baron Gurney to receive his explanation of the circumstances, but that was before any public allusion was made in the newspapers to the particular phrase quoted by the hon. Member for Finsbury. Since that time he had had no communication with Baron Gurney, and he spoke last night under the impression, which turned out to be erroneous, that the learned judge had disclaimed the use of the words. This morning he had received a letter from Baron Gurney, pointing out the error into which he (Sir James Graham) had fallen, and admitting that he (Baron Gurney) had made use of the phrase. The circumstance under which the phrase was used was this. The prisoner was charged, amongst other things, with attempting to excite popular ill-will against the police at Leicester. In his defence, he urged that he had not, directly, incited the populace to commit an overt act of violence against the police, though he had held them up to contempt in general terms. The learned judge then used the phrase in question as a familiar illustration, to show to Jones, that it was not, as he supposed, necessary that an overt act of violence should be recommended, but that the very excitement was dangerous to the public peace, and, therefore, in contravention of the law. There was no doubt, however, about the use of the expression, and he was anxious to take the first opportunity of giving this explanation, and of stating that his denial on this point was made under a misconception of the facts.

Mr. *T. Duncombe* said, that the phrase was used by the judge, when the prisoner was cross-examining the witness. The right hon. Baronet's explanation was quite satisfactory.

COMMUNICATION WITH IRELAND.] Sir *H. Barron* asked whether a survey had been ordered by the Government respecting a more expeditious mode of conveying the mails through Wales to Ireland, and, if so, when it would be completed; or whether the Government thought that they had sufficient evidence already before them on this subject?

Sir *R. Peel* said, the Government had not ordered any survey. The evidence was conclusive in favour of the line from Chester by Bangor to some port. Then the question arose which should be the port, and the commissioners decided in favour of Holyhead; and he thought they decided judiciously. The details of the arrangement were still under consideration.

Sir *H. Barron:* The right hon. Baronet had not stated whether he considered a survey necessary.

Sir *R. Peel* said, he thought it was not. The only survey which could be necessary was a naval survey.

Sir *H. Barron* said, that was what he meant.

Sir *R. Peel* said, Government would lend its assistance to solve any doubts which might exist as to the port to be selected, but he would not commit himself to the expenditure of any of the public money.

LORD ALTHORP—REPEAL OF THE UNION.] Captain *Bernal* said, he took the earliest opportunity to set himself right with respect to some remarks that had fallen from him a few evenings ago. It was probably in the recollection of the House that he had asked the right hon. Baronet whether he were prepared to abide by the declaration of Lord Althorp, that if all the members for Ireland were to join in asking for repeal, he should not be prepared to resist it. A contradiction to this statement had since been given in another place, on the authority of the noble Lord himself, by a noble individual distinguished for a spirit of chivalry that seemed to make him extremely careful of the characters of others, whatever he might be of his own. When a Noble individual like Earl Spencer denied the statement imputed to him, he (Captain Bernal) at once thought it his duty to express his earnest regret for any misrepresentation of which he might have been guilty. At the same time he had to state that he made his statements on the authority of several hon. Members present at the debate, all of whom laboured under the same misapprehension.

MEETING IN BERKSHIRE. EXPLANATION.] On the order of the day being called for resuming the adjourned debate on the Corn-laws.

Mr. *Blackstone* rose for the purpose of referring to a statement made to the House last evening by one of the hon. Members for the county of Berks. That hon. Member, in alluding to some observations which had fallen from him, had said,

> "The hon. Member for Wallingford had said that the farmers felt that they had been deserted by those to whom they had naturally been accustomed to look up whenever any measure was in progress calculated to injure their interests—namely, the resident nobility and gentry of the country, from whom they now met, in their hour of destitution, not only with no support, but with every kind of hostility. He considered the assertion of the hon. Member for Wallingford was a libel upon the nobility and gentry of the country."

He wished to take the earliest opportunity of stating that the hon. Member must have misunderstood the purport of his observation. He certainly had made use of the word "hostility," but not in the signification attached to it by the hon. Member. He said upon that occasion that a requisition had been signed by 900 of the yeomanry of the county of Berks, and that few, if any, of the resident gentry of the county had affixed their signatures to that requisition; and that they had not co-operated with the requisitionists. He had not said that all the resident gentry had exhibited a feeling of hostility towards the farmers. The indisposition manifested by the nobility and gentry to co-operate with the farmers in the maintenance of their interests had induced the farmers to think that they had been deserted. He (Mr. Blackstone) had not stated that as his own opinion, but as the opinion of the farmers in that part of the country. He trusted that the hon. Member would attend the county meetings which were shortly to take place. Before he sat down he would refer to an observation which had fallen last evening from the right hon. Baronet the Paymaster of the Forces. The right hon. Baronet had charged him with having changed his opinion on the Corn-laws. He most emphatically denied that his opinion had undergone any alteration. It was his intention to vote against the motion of the hon. Member for Wolverhampton, should the question come to a division.

Mr. *R. Palmer* expressed his regret that he should have misunderstood what had fallen from the hon. Member for Wallingford. He was glad that he had afforded the hon. Member an opportunity of entering into an explanation. He could assure the hon. Member that his observations had caused great pain to many of his own friends and acquaintances.

ABOLITION OF THE CORN-LAWS—ADJOURNED DEBATE.] Mr. *Brotherton* in resuming the debate, denied that he had ever expressed an opinion that a fixed duty was preferable to a total repeal of the Corn-laws. Suppose a duty of 8*s.* a quarter was imposed on corn, and that two millions of quarters were imported, a sum of 800,000*l.* only would find its way into the Exchequer; but if the effect of this tax was to raise the price of all the corn in the country by 8*s.* the people might in reality be taxed to the amount of twenty millions, though only 800,000*l.* went into the Exchequer. A tax of twenty millions would then be paid by the community for the benefit of monopoly, while the revenue was benefitted only to the extent of 800 000*l.* But the law as it now stood was evidently worse than a tax of 8*s.*, for the right hon. Baronet had resisted the fixed duty of 8*s.* on the ground that it did not afford sufficient protection to the landed interest. The sliding-scale, therefore, which the right hon. Baronet so warmly defended, must be a still greater protection than the fixed duty of 8*s.*, and consequently a heavier tax upon the community. In the course of this debate, he (Mr. Brotherton), had heard some extraordinary reasons put forward in support of this law. The right hon. the Vice President of the Board of Control, had argued that the landed interest had a vested right in preventing the importation of foreign corn, till corn in this country had risen to a famine price. That he denied. He was willing to admit the rights of property, but the rights of labour were equally sacred, and he would never admit that any law was just, or ought to remain on the statute book, if it taxed the poor for the benefit of the rich. The most fearful pictures had been presented to the House, of the distress to which the people had been reduced, and the existence of that distress was not denied. This distress had not been brought on by the dispensations of Providence, but by laws which ought never to have been enacted. The distress was general. It prevailed where there was machinery, and where there was none; were there were joint stock banks, and where there were none; and when the distress was so general, it followed that there must be some general cause for it. From 1836 to 1842, there was a reduction in the exports of five millions, and this reduction was not confined to the cotton trade, it extended to woollens, and iron, while the shipping and other branches of our national industry were equally a prey to distress. This loss in the export trade, however, was nothing compared to the loss of the home trade, and it behoved the House of Commons to inquire in what way such lamentable effects had been produced. He believed they had been produced by the increased price of provisions, and that increased price had been caused by this wicked law. In the course of four years the people had paid at least twenty millions more than they ought to have paid for their food. This was a very bad way of encouraging agriculture. A much better way of encouraging it would be to increase the number of good customers for the farmers, by extending foreign trade, and thus providing employment at home for those who were now suffering under the general depression. The idea that land would be thrown out of cultivation if corn were to fall in price was absurd. Corn had gone down from 80*s.* to 46*s.*, and yet not a single acre had been thrown out of cultivation; nor did he believe, if the Corn-laws were repealed, that a single acre less would be cultivated than now. This was a question of rent, and rent alone; and if it had been left to the farmer and the labourer, the Corn-law would have been repealed long ago. It was said that the Corn-laws ought to be maintained, in order to enable the landowners to pay the interest of mortgages, and provide for family settlements, but a man had no right to look to an act of Parliament for the payment of his debts. It was impossible that trade could long continue to bear such burthens; and how could the taxes be paid if a stop were put to manufacturing industry? He firmly believed that the repeal of the Corn-laws would advance the prosperity of the agricultural interest; that would ensure regularity and steadiness of price, with prosperity to the farmer and the labourer, the manufacturer and the artisan. He should, therefore, give his cordial assent and support to the motion.

Mr. *Hampden* said, the theories propounded by the Gentlemen opposite may be very plausible, nevertheless they are but theories, and considering the magnitude and importance of the interests affected by this motion, I think the House should be slow to trust to speculations unattested by experience. No doubt a person altogether ignorant of the bearings of this question, who had heard only the bold assumptions and, I admit, also the plausible reasonings, by which Gentlemen opposite have attempted to show that, it is only necessary to repeal the Corn-laws in order to, reinvigorate your drooping commerce and diffuse prosperity and plenty throughout the country, would indeed be astonished at the impenetrable dullness or the audacious selfishness of those who obstinately withhold such a boon from the nation. These arguments, however, ingenious and clever as they may be, are unsustained by facts, or rather, I should say, are irreconcileable with facts derived from the History of your commerce. Indeed, I must say I have seldom witnessed such a licentious indulgence in that vicious logic which infers *post hoc ergo propter hoc,* as this debate has exhibited. It would seem that every unpropitious event, social or political, moral, or even physical, which has occurred to this country since restrictions were first put upon the trade in corn, are attributed to the malign influence of the Corn-laws, and some Gentlemen seem to have the same blind and superstitious terror of Corn-laws which former generations entertained respecting the influence of comets. We are told, that the existing distress arises from the insufficient demand for the products of manufacturing industry and the consequent want of employment for labour. I fear this is not to be denied; but then the enemies of the Corn-laws rather illogically, as it seems to me, at once jump to the conclusion, that by freely admitting foreign corn you will create such a demand for British goods as would call all the industrial powers of the country into active operation. And when we ask for some evidence of the soundness of this conclusion, some facts in confirmation of it, we are again answered by a theory. I do not feel myself now called upon to enter into a discussion of the elementary principles of free-trade. Our present business is to enquire into the expediency of applying these principles in all their strictness to the subject under consideration. Free trade may be very beautiful in theory, the difficulty, however, which presents itself to my mind in its application is, that a real *bonâ fide* free-trade is simply impracticable. A *bonâ fide* free-trade requires the concurrence and co-operation of all nations with whom you have commercial dealings—a contingency that is hopeless—for I hold that free-trade without reciprocity, is not only a solecism in language but a mischievous delusion. I am not unmindful of the ingenious arguments by which the hon. Member for Stoke attempted to establish this maxim, that "if you will take care of the imports, the exports will take care of themselves;" but with due respect for the ability exhibited by the hon. Gentleman in enforcing his argument, I must say, it struck me that this is one of those neat, pithy phrases, which, on account of its terseness, passes for an axiom when in truth it serves but to disguise a fallacy. I am aware that in admitting that the principles of free-trade may be sound in the abstract, I shall appear to some Gentlemen opposite to have conceded every thing. I once heard the hon. Member for Stockport exclaim, "Talk not to me of abstract principles—what has this House to do with abstractions?" By which phrase I believe he meant to convey that a principle which is sound in the abstract must be beneficial in its application under every possible combination of circumstances. Upon this point I differ altogether from the hon. Gentleman. On the contrary, I maintain that there is not a more mischievous error in legislation than to attempt to regulate the complex affairs of a highly artificial state of society by a rigid unbending adherence to elementary principles—principles which are in the abstract unimpugnable, may produce the utmost confusion, derangement, and injustice, if arbitrarily enforced under circumstances to which they are not adapted. We witness this inevitable conformity to the necessity of circumstances in the ordinary transactions of daily life, and I could almost venture to say, that we see some indications of it in the moral government of the world. Nevertheless, whatever may be the abstract beauty of free-trade doctrines, I have a firm conviction that they cannot be applied to the trade in corn without seriously endangering the most important permanent interest of this empire, which was happily characterized by the right hon. the Vice-president of the Board of Trade in language more graceful than I can command, as the solid foundation of the social edifice. In certain manufactures, the cotton manufacture for instance, the cheapness and abundance of iron and coal, the perfection of your machinery, your unlimited command of capital, your dexterity in manipulation, give you such decided advantages as may enable you to defy competition with the world. But in respect of an article like corn, of which every element of the cost is higher here than in other countries, where your land is dearer, your wages higher, your taxes heavier, your soil and climate no better, how is it possible that you should be able to sell at the same price and find a remunerating profit? Before you start in the race of low prices, you must cast aside some of your weights, if you wish not to be distanced. Your burdens are too heavy for such a contest. This proposition appears to me to assume the character of a truism, therefore if you do not mean to destroy domestic agriculture, you must give it protection. What amount of protection may be requisite to ensure its safety, aye, and its prosperity too—for nothing less is due to this great interest—I am not competent to determine. Imperfect, however, as my knowledge of this branch of the subject is, I will venture to express a confident hope as the result of some enquiry, that when the disturbing causes which must at first unavoidably derange the operation of so great a measure, shall have ceased to act, it will be found that the scale of duties fixed by the late law, has provided an equitable adjustment of the rival claims of the consumer and producer, both of which it must not be forgotten are equally entitled to the anxious care and consideration of Parliament. The landlord and the farmer must be prepared, and I have no doubt are prepared to make every reasonable concession to the exigencies of the times. Let them not listen to the unwholesome counsel of those who would persuade them that they have been deceived and betrayed. It may be true, and I believe it is true, that the agricultural body, did by their exertions at the last election contribute largely to the displacement of the Whigs and the elevation of the right hon. Baronet, to the high office which he so efficiently fills; but having assisted to place him there, they must feel and acknowledge, that he is no longer the champion of a party, he is become the steward of the nation and those are the soundest conservatives, who having hitherto supported the right hon. Gentleman from their confidence in his great ability, industry, and integrity, will continue to give him their zealous support, while he employs these high qualities in advancing the general interests of the nation regardless of all party considerations. The hon. Member for Stockport told us last night, and the assertion has been as confidently repeated by the hon. Member for Salford who has just spoken, that the Corn-laws are absolutely incompatible with the commercial and manufacturing prosperity of this country, and that it is quite impossible that manufactures should thrive, while the restrictions on the trade in corn are suffered to exist. Now, Sir, I think the fallacy of this opinion may be exposed in a single sentence. I need only point to the riches of the district with which these gentlemen are connected, to the rapid accumulation of wealth which has taken place in that part of Lancashire during the last twenty-five years, to show how utterly unfounded is such an opinion. Nevertheless, as this is the favourite theme with all declaimers against the Corn-laws, who delight to expatiate upon their blighting influence on commercial and manufacturing enterprise, it may be necessary to go a little deeper into this part of the question; and in doing so, I am aware that I shall have to express some opinions which do not quite come up to the standard of those entertained by gentlemen, for whose judgement in these matters, I feel the utmost respect and deference. But, although I may regard my own opinion under such circumstances with diffidence and distrust, I shall not, I am sure be expected to renounce the conscientious convictions of my own judgment. Gentlemen who attribute depression of trade to the operation of the Corn-laws assume as the basis of their theory, that commerce is a simple matter of barter. If this maxim contemplates money as a commodity, it is nothing more than the simple enunciation of a truism, that the party from whom you purchase, must take something from you in exchange, but if it is meant to imply that the country from which you purchase corn or any other commodity must of necessity take your goods, or any thing which you can best spare to an equivalent amount in value then I question the proposition. I question it not only as irreconcilable with reason and common sense, but upon the authority of facts. Reason and common sense, suggest to me that the seller will require, not, what the customer can best spare, or is most anxious to part with; but the article which he requires, be it money or any other commodity. This view of the matter is also confirmed by the history of your trade. It appears by parliamentary returns, that in ten years from thirty-one to forty inclusive, upwards of one-third of the whole quantity of corn imported into England came from Prussia, and what was the state of your exports to that country during the same period? The same Parliamentary return shews that Prussia from which you draw your largest supply of corn, is about the worst customer you have in Europe. The reason is obvious. Prussia is earnestly bent upon fostering her domestic manufactures, and, therefore, prefers your silver and gold to your goods. It may be said, that much of the corn which is shipped from the ports of Prussia, is grown in the dominions of Russia, but this does not affect the argument, because we find that the imports from Russia more than quadruple in value the amount of our export trade to that country. I am prepared for the explanation by which it will be attempted to reconcile these facts with the theory. We shall no doubt be told, that although the direct trade may not indicate a balance of exports against imports with regard to each country respectively; nevertheless, goods must have been sold somewhere to pay for the corn, timber, tallow, &c. &c., which we purchase from these countries. Now, Sir, it strikes me that there is a great deal of sophistry in this argument. Were these goods sold in consequence of your dealings with Russia and Prussia, and would they not have been sold otherwise? You must demonstrate a necessary connection between these transactions or you do not prove your theory. The two transactions may be concomitant, but totally independent of each other, and unless you shew that they stand in the relation of cause and effect I have a right to consider this a gratuitous assumption or begging the question. Another favourite argument among the enemies of the Corn-laws, is, that unless you purchase from foreigners what they have to sell, they are not able to deal with you for your manufactures. This may be a very good argument where there really does exist a desire to procure your goods, but is this the case? In reference to most continental nations, it is now well ascertained that the reluctance which they exhibit to extending their commercial dealings with this country, does not arise from their inability to pay for your goods, but altogether from a solicitude on their part for the encouragement and development of their own manufacturing industry. They point to your example and tell you, that it was under a protective policy you attained to your unquestioned superiority in manufactures and trade, that certain peculiar advantages which circumstances confer upon you, in the robust maturity of your skill may enable you to defy competition in certain branches of manufacture, but that the infant state of their establishments requires more tender nursing, and moreover, they tell you, that they would rather take council from the example of your past history which is a fact, than from your present advice, which however sincere and honest is but a theory. And in obedience to this policy, whether sound or not, most continental nations have entrenched their markets behind a tariff avowedly for the purpose of protecting domestic industry. It is these tariffs which will prevent you from forcing your goods especially your cotton goods into those countries, whether you purchase their corn or not. This point indeed seems to be pretty generally conceded on the other side. It is generally admitted by hon. Gentlemen that they see no prospect of extending the markets on the continent to any great degree. But then they triumphantly turn to America. They say there is a country capable of supplying all your wants, and willing to take your goods in exchange. This is a favorite theme with the whole party, yet strange to say, it is an assumption in the teeth of incontrovertible facts, as I will presently show. In the meantime, let us look to the history of our trade with America for the last ten or twelve years. In 1831 you received from that country 219,333,628lbs. of cotton wool. In 1840 you took 487,856,504lbs. We should therefore expect to find that during that period, there had been something like a corresponding increase in your exports. But how stands the fact? In 1831, the value of your exports to America was 9,053,583*l.* In 1840 it had actually dwindled to 5,283,020*l.*, so that while your import of the single article of cotton wool had somewhat more than doubled in ten years, her purchases from you have fallen off nearly one-half during that period. I anticipate the answer that will be given to this fact. We shall be told that America contracted large loans in this country, and that much of her exported cotton went to fulfil her money engagements here, but the House will at once perceive that this is not an answer to the argument, but only a fuller statement of the fact. America it seems required money more than any other commodity you could send her, and therefore she rejected your goods. The truth is, even this young nation has an ambition to become a manufacturing country, and she also has had recourse to the nursing agency of the tariff. But, say gentlemen opposite, these tariffs are the fruits of your own vicious legislation. They are only measures of retaliation forced upon foreigners by your restrictive policy. This is the account of the matter which is given and dwelt upon with great emphasis by the advocates of free-trade. I will shew you, however, that it is the very reverse of the truth. I will offer to the House the history of this American tariff from the lips of the statesman, who from his talents and his influence in the American cabinet may be considered as the author of it. These are the words of Mr. Webster,

> "Looking as we all do to our industry as the means of livelihood for ourselves and our children, can we consent that such a great object as the protection of domestic industry shall be identified with the success of a particular party rising as the party rises, and sinking to the grave when the party goes down. It is a public national question. A tariff, a sensible and moderate tariff should be inwrought into the politics of all parties, because although I desire the success of the Whig principles, I wish to take a bond and security for the protection of industry, more durable even than the permanence of Whig power. The tariff has accomplished much. I honor the men who passed it."

I trust we shall hear no more of tariffs being measures of retaliation. I think I have now shown that the history of your trade does not prove the rule contended for, that to the extent you buy from foreigners will they buy from you, and moreover that the special circumstances and policy of those countries from which you are likely to draw your largest supplies of corn, render it almost certain that they would prefer your money to your goods in exchange, and that, therefore, the abolition of the corn-laws would not give that impulse to trade which has been predicted. I should be most happy to concur in any measure of Legislation which is really calculated to revive commerce; but I do not believe that the present depression and the consequent distress of artizans and labourers is the effect of faulty legislation, nor have I heard any arguments to satisfy me that the measures proposed are adapted to the emergency. It has been stated on high authority that our commercial embarrassments are chiefly ascribable to the commercial and financial difficulties under which America has been for some time struggling, and it cannot be doubted that this cause has had considerable influence upon our trade; nevertheless, it is my firm conviction that the present painful crisis in manufacturing prosperity is in a great measure to be attributed to the indiscreet exercise of those unlimited powers of production with which our elaborate machinery furnishes us. This opinion, no doubt, will be stigmatized as crude, antiquated, and unphilosophical. Poor philosophy indeed has much to answer for. Nevertheless, I must guard myself against being misunderstood upon the point. No man is more deeply impressed with a due sense of the immeasurable benefits which this country has derived from the mechanical aids of human industry. Machinery I believe has contributed essentially to make us the great nation we now are. Looking back to the tremendous struggle in which England was engaged towards the conclusion of the last, and the beginning of the present century, and the almost miraculous success which at length crowned her efforts, it does almost seem that when Providence appointed this country to the high mission of defending the liberties of mankind and the arts of civilization against a mighty power which then threatened to sweep them all from the face of Europe, she at the same time gave her machinery and steam-power as a means of magnifying and multiplying the powers of the few millions of men who inhabited this little island, to render them commensurate to the task allotted to them, and to enable them to achieve those great triumphs which were the admiration and the astonishment of the world, and by which England did at length accomplish the high mission to which she had been called. But let us not deceive ourselves. Does it follow that if machinery be a blessing, it is therefore not liable to abuse? Is there a blessing upon earth which may not be converted into a curse by the reckless cupidity of man? The elaborate perfection of our machinery has entirely changed the principles of production, so that manufactures have become more the product of capital than of human labour, and being, therefore, unrestrained by natural checks, they must have a tendency to outrun the demand. Machinery must for a time give a stimulus to employment, but the day will arrive when, by the facility of production which it affords, it will have overtaken the wants of your customers. Then comes the pressure on the labour market, and the displacement of human industry, with all its frightful consequences. Have we not been passing through one of these crises? Machinery and its incidents I feel, Sir, is a subject too large for the grasp of my mind. My powers enable me to see up to these difficulties, but not through them. I aspire only to be classed amongst those who

"'With modest doubt assign each likely cause,
"'But dare to dictate no decisive laws.'

The influence of machinery, and the gigantic establishments which it leads to, upon society and upon social institutions — its tendency to cause the accumulation of large masses of men entirely dependent upon labour, without carrying along with it a guarantee for their future employment—its tendency to substitute infant for adult labour, thereby subverting the order of nature and sapping the foundations of social improvement—these are questions to task the highest faculties of the master mind which now presides over the destinies of this nation, and may God direct his efforts to deal with them successfully. Another question not immediately connected with the subject before the House, has been so frequently mixed up with debates on the Corn-laws, that I shall make no apology for slightly glancing at it. Government are taunted with having excluded the article of sugar from the reductions of their tariff, and are loudly called upon for the free admission of foreign sugars. Do Gentlemen opposite forget that the sugar of Cuba and Brazils which they so clamourously plead for, are the produce of slave labour! In the name of consistency what has become of those high principles which forced the abolition of slavery in our own colonies but a few years ago? It is really difficult to believe that this proposition for the encouragement of slavery comes from the same party who were so importunate to wipe away the stain of slave holding *coute qui coute*. What has become of the red-hot zeal which then drove on the emancipation at every risk and at every sacrifice? It was only by an appeal to the best sympathies of our nature that the nation was brought to acquiesce in the large pecuniary grant, and the unprecedented invasion of the rights of private property which that measure involved. It was because they were brought to consider it a tribute due to justice and humanity that they sanctioned it. Are these moral obligations less strong upon us now? Where is the moral difference between practising crime ourselves, if it be so, and promoting and encouraging the practice of it in others? I shall not at this time occupy the House by going into a consideration of the disastrous effects of this measure upon the property which is affected by it. I cannot, however, help calling the attention of the House to the exemplary patience with which the West India proprietors have borne their reverses, I believe this may in a great measure be attributed to a persuasion on their part that the Legislature were actuated by high moral principle in decreeing the emancipation of the slaves; but how must that body feel, and how will the virtuous part of this nation feel, if they now see that the Legislature having annihilated one half of the value of this once valuable property on the plea of humanity, turns round and annihilates the other half in defiance and despite of the same plea. Is not this gross injustice? Is it not worse? Is it not a mockery of virtue? It was gratifying to mark the approbation with which the right hon. Baronet's manly declaration in a former debate in vindication of consistency and principle, was received by this House; and I will venture to say, that it has been warmly responded to by the moral feeling of the nation at large. The right hon. Baronet said,—

> "He did not think it right to give free admission to foreign sugar, without reference to the consideration whether or not it was the produce of slave labour. He stated this opinion in opposition; he stated it last year and he entertained it still. We ought to show to the world that we will not relax, for any pecuniary advantage to ourselves, those principles which we have hitherto maintained with regard to slavery."

The right hon. Baronet added—

> "I think it would abate our moral influence if, for the sake of a free-trade in sugar, we were lightly to abandon our former principles."

If so humble an individual may presume to offer a word of encouragement to the First Minister of this nation, I would venture to say that the statesman who has the courage and the virtue to rise above mere financial considerations of pounds, shillings, and pence, to vindicate the morality of his measures, may not only confidently reckon upon the support of the best part of the nation, but he may humbly hope for that blessing without which the cunning of man is but empty vanity. I will conclude by reading, as a warning to the House, a few remarks of the great apostle of free trade—Adam Smith. Speaking of commercial measures of legislation, recommended by master manufacturers and merchants, he says,—

"The proposal of any new law or regulation of commerce which comes from this order ought always to be listened to with great precaution and ought never to be adopted till after having been long considered, not only with the most scrupulous but with the most suspicious attention. It comes from an order of men whose interest is never exactly the same with that of the public."

The concluding remark (Mr. Hampden observed) was more severe, and he did not adopt it. [*Cries of* "Read on, read on."] If the House wished it he would do so.—

"It comes from an order of men who have generally an interest to deceive, and even to oppress, the public, and who, accordingly, on many occasions have both deceived and oppressed them.

Mr. *James* did not approve of the present sliding-scale, the evils of which had been so fully demonstrated, that it was unnecessary for him to detain the House by discussing it. He wished, however, to mention one fact, that a great part, indeed nearly the whole of his agricultural constituents, had repudiated the system of the sliding-scale, and were prepared for a change, finding that that system had been of no value to them. He could not vote for the motion of the hon. Member for Wolverhampton, because it would be tantamount to a total and immediate repeal of the Corn-laws, to which extremity he was not prepared to go. He was, however, prepared to vote for the proposition made by the noble Lord, for a fixed duty of 3*s*. or 4*s*. He would be satisfied with that as a good compromise between the two extreme parties upon this subject. Under these circumstances, it appeared to him that he had no alternative, but must abstain from voting altogether. He could not go along with the hon. Member for Wolverhampton for total repeal, nor could he approve of the sliding-scale of the Government.

Captain *Gladstone* must vote against the motion of the hon. Member for Wolverhampton. He denied that the landed gentry were so imbued with prejudice and ignorance as had been stated, that arguments had no effect upon them. It had been alleged against them also that they supported the Corn-laws to keep up their rents, and that they had no feeling of sympathy with the manufacturers, but he believed that the landed proprietors were as well convinced as the manufacturers themselves of the connection between the prosperity of trade and that of agriculture. The hon. Gentleman who had just spoken ought in consistency to meet the motion with a direct negative, because it was one for nothing less than total repeal of the Corn-laws. He admitted that the Corn-law raised the price of food, but denied that it had caused greater fluctuations than in other countries. He believed if the Corn-laws were repealed to-morrow, it would not improve our commercial relations with the United States, France, or Prussia. Those countries had an increasing population to provide for. They had seen this country flourish under the system of protection, and they intended to proceed in the same course. Our tariffs had been reduced last year, but instead of meeting with a corresponding reduction from foreigners, the contrary had occurred. He contended that manufacturers possessed advantages in their coal, iron, and capital which agriculturists did not, and he asserted that the land bore heavier burthens than manufactures, and paid a much larger proportion of the poor-rates, and highway-rates. For this allegation he had the authority of the last edition of *Adam Smith* by Mr. M'Culloch. He must express his astonishment at the manner in which the members of the Anti-Corn-law League had proceeded in forwarding their views, and as this motion was brought forward in concert with them, he should give it a direct negative.

Mr. *Aldam* said, much had been heard during the course of the debate of the distress of the farmers, and, he believed, without exaggeration—but this very distress was the effect of the Corn-laws, which, by maintaining the price of corn unnaturally high, had caused an excessive production. Under this prices were now depressed. A series of years had expired characterised by deficient harvests, high prices and commercial disaster. If they could judge from the experience of the last twenty years, they might now expect some years of abundance and low prices, in which the farmer must be a severe sufferer; but had the deficiency of past years been supplied from abroad, prices would have been moderate; the farmer would not have extended his growth, and when years of abundance came, he would have benefitted by them, instead of feeling them as at present, a misfortune. Suppose that they should have the same recurrence of seasons as before; that they were now at the commencement of years of plentiful harvests, as in 1832; and that after these were to recur such a series of years of scarcity as commenced in 1838; the same fearful distress must recur from the same causes; attribute what they would to derangement of currency, or over-production, he believed that the price of food, and succession of harvests, was the fundamental circumstance which in a great measure, determined the prosperity or depression of the trade of this country—if the years of scarcity recurred, they should have the same commercial disaster. Gentlemen opposite would say no, the Corn-law had been changed, prices could not rise to the same height as formerly; but he believed it would be found not to be so; that prices would rise as high, or nearly so, under the new, as under the old law; for, should there be no demand from England for several years successively other countries would cease to grow for the English market, and when corn was wanted it could only be procurred at excessive prices. In spite of the amended law he believed the same fearful alternations of prosperous and adverse circumstances would occur, and this because by refusing to give the foreign farmer a fair chance with his English competitor, and by excluding him frequently altogether, he could not calculate upon our demand. It was this that caused a large manufacturing population to be dangerous—that they had been exposed decennially, for the last thirty years, to four or five years of distress and starvation; but were the trade in corn thrown open, had the foreign farmer always free access to our markets, they would never lack a supply of grain at a reasonable price; and these violent fluctuations, dangerous to the peace of the country, to the very existence of society, would be heard of no more, or at least be much mitigated in their extent. It was very unwise to leave out of consideration the interests of the foreign farmer. Should he be excluded for the next four or five years from the British market, he would be in this situation—that having grown considerable quantities of corn for our supply, encouraged by the regularity of our demand for the last five years, he would find it thrown upon his hands, and prices ruinously depressed. Finding the trade with England attended with such serious inconvenience, he would become an advocate of protection to home industr and promote domestic manufactures for the purpose of raising up a market on which he could depend. There was a case of great importance at the present moment, to which these considerations ought to be applied. The case of the states of Northern Germany not included in the Zollverein—of Hanover, Oldenburgh, and Magdeburgh. The tariff of these states was much more favourable than was that of the German League, which was of importance, not merely from the magnitude of the market they afforded for English goods, but also because, from the extent and nature of the frontier which separated them from the territories of the league it would be difficult for that league to establish a much higher scale of duties. But these northern states were now hesitating whether to join the league; and should they be excluded from England for some years in the disposal of their grain, they would join the League in order to gain an advantageous market for their produce; but were England to trade with them on fair terms, she could at once take their grain, and furnish them with manufactures more to their advantage. He believed it to be of the greatest importance, under the present circumstances of America, to afford that country an advantageous market for her grain. He believed that great country to be now in a crisis of her commercial history, and that upon the course she adopted at present would depend whether her ports remained open to the commerce of the world, or following the example of France, confined her trade mainly to the intercourse of her provinces with each other. France was an instance of a country which having commenced the protective system, found it necessary to act more and more completely upon its principle, until at last she became useless to the commerce of the countries which surround her. America had the means of acting on the protective system to a greater extent, and with much less inconvenience to herself, than France, or than any other country in the world. Ranging from the colder regions of the temperate zone to the verge of the tropics, she had every description of climate; she had a great variety of soils in her vast area, and unparalleled means of intercommunication between her different parts, she had an ample store of minerals advantageously situated; she seemed to possess every requisite for a manufacturing as well as for an agricultural country. There was only one means of averting the onward course of America towards protection; and that was by taking the corn of the farmers of the west; at present they were favourable to protection. They wished to raise markets for the disposal of their produce by encouraging the establishment of manufactures; they preferred dear manufactures, and some money to purchase with, drawn from the sale of their produce, to cheap manufactures, without the means of buying them; but those farmers of the west could turn the scale. Were they to be brought over to the support of free-trade, the United States would cease to act upon her present protective system, and the American trade would revive. Let England persist in her present course, and America would act progressively more and more upon protective principles, until the period would come, in a very few years, when she would be of little more use than any of those European states with which they were now carrying on a languishing and uncertain intercourse. Should the Government have decided upon maintaining the Corn-laws as they were, in the face of the great inconvenience and danger of such a course, she has yet the means of showing a disposition to extend the trade with America, without affecting the corn-trade in Europe. Of the several descriptions of grain grown in America, the principal in quantity produced was Indian corn or maize. It appeared, by an estimate which had been laid before Congress, that the total produce of maize of all the states in the year 1842, was 442,000,000 bushels, or about 55,000,000 quarters; which was more than all the grain of every kind yearly grown in this country. The wheat grown in the United States last year amounted to 12,800,000 quarters; and the aggregate of all grain, exclusively of Indian corn, was about 36,000,000 quarters. This showed the vast importance of maize in America. In Europe it was of less importance. In the great grain growing countries from which England was principally supplied with wheat, he believed little or none was produced; and in the Papal states it appeared, from Mr. M'Culloch's papers, on the trade of Italy, lately presented to the House, that the quantity of maize was only one-half that of wheat. He believed that if the free importation of maize were permitted none could be procured except from America, and that a trade might gradually grow up with America in this species of grain which would become extensive; and that any relaxation would be important at this moment, as showing a disposition to favour the trade with that great and increasing country. He differed in some respects from the views of political economy which had been expressed by hon. Gentlemen on that side of the House. He did not think the maxim in all cases true which had been put forword—"Take care of your imports, and your exports will take care of themselves." He thought it was possible for a country to suffer by giving too great facilities of import, when her products were excluded from other markets. He believed that commercial treaties might be advantageons if it were possible to procure them; but he did not believe that England would be in any danger from opening her ports, he thought it probable that Russia might send her corn and refuse to take British manufactures; but he thought there would be no difficulty in paying her with the produce of Brazil and India; he thought the corn of the continent would be largely paid for in sugar; there had been an over-production of that most valuable article of commerce. Cuba and Brazil were suffering under unremunerating prices, and an extension of the consumption on the continent would enable them to take more of our manufactures. He thought English trade capable of great extension, upon the basis of an increased use of sugar; for, were the consumption of Russia proportioned to that of England, she would import sugar to the value of 10,000,000*l.*, at the present value of Brazilian sugar, which was more than two-thirds of her present total imports; but to enable her to make this increase, she must acquire the means of exporting the only description of article she was able to export—agricultural produce. He thought the growth of the use of sugar on the continent furnished the most cheering prospect of the increase of British trade, for sugar must be supplied by countries, in the markets of which England can compete successfully with the world. As to commercial treaties, he feared experience was much against their utility; other countries would not make concessions without knowing the extent of advantage to be gained. He thought the better plan was to make the reductions contemplated at once; to show the country benefitting by them the extent of her gain; to urge corresponding advantages for this country; and then, should all concession be refused, and should it be found that little advantage accrued to England by the augmented trade, to threaten to recall the reductions made; should this fail to extort fair terms, then to execute the threat. He thought that this course might be pursued in the case of corn; let the countries of the world experience the benefit of the English markets—let them propose, after a sufficient interval, corresponding advantages to English trade: should these be refused, and should the imports of corn from any country tend to derange the currency, by a great and varying excess of exports to England over imports from it, then let such restrictions be imposed on the trade of that country as the case may require. By commercial treaties, he feared, it was hopeless to effect anything, but by a proceeding of this kind, they might succeed in again opening the markets of the world to British manufactures. There was no danger to the currency. The exports had lately exceeded the imports, and a vast supply of gold had flowed into the country and was lying useless in the coffers of the bank. The staple trade of the borough he represented, the manufacture of woollens was suffering a progressive decrease, the import of sheep's wool in 1841 had been 56,123,000lbs.; in 1842, it had fallen to 45,833,000lbs., the quantity taken for consumption had fallen from 53,130,000lbs. to 44,611,000lbs., which was less than the consumption of any year since 1837, while by a table which had been published by Mr. Bischoff, the author of an able treatise on the woollen trade, it appeared that the export of cloths had fallen progressively from 392,854 pieces in 1839, a year of small export, to 161,675 in 1842. In coatings the decrease has been from 25,025 pieces in 1839, to 8,433 in 1842, while in four other items, a large decrease had also taken place. It was to be feared that the loss of the whole export trade in woollen cloths could hardly be averted, and yet Government retained import duties on the raw material of the manufacture. In conclusion, he asserted that the Corn-law was the cause of great and dangerous distrust of the Government in the manufacturing districts; it was viewed as a law maintained by the aristocracy for their own private interest, though opposed to the public good; it was the cause of extreme opinions; and the argument most successfully used by the advocates of extensive changes in the Constitution. He believed that the stability of society would be endangered by persisting much longer in maintaining them.

Mr. *Benett* considered the present motion to be in effect a motion for the total repeal of the Corn-laws. That being the proposition, it was incumbent on those who supported it to show that the people of this country employed in agriculture could live as cheaply as persons engaged in the same pursuit on the continent. If this could not be shown, then free-trade in corn would be an injustice to the English farmer. The people of this country could not live so cheaply as in other countries, because the taxes were heavier; and the taxes were heavier because the people of this country had to pay a great amount on account of the national debt. This evil was aggravated by the change in the system of currency, by the bill of 1819, and the country was now suffering from the alteration which that measure effected in our monetary system. Before the country could be in a right condition, some great measure must be adopted. If they were not disposed to attack the monetary system which they had so unwisely established, then they must do some other "great thing" before they could have free-trade. Were they unwilling to subscribe their property to pay off the national debt? That was a great measure, no doubt. But the debt was a mortgage, which they were bound to pay. Had they courage enough to seize upon the property of the country, and pay off that debt? He knew they had not. Then were they inclined to abolish all other taxes and adopt a property and income-tax? Would they follow out the income-tax which the right hon. Baronet had introduced? He was ready for that, and he thought it was the only honest and prudent mode of raising a revenue for the country. Why should not the right hon. Baronet continue the property-tax which he had established, and which he (Mr. Benett) had no conception would ever be repealed. Why not repeal the malt-tax and substitute a property-tax? That would be a bold measure; but not too bold for the right hon. Baronet, since he had the power of carrying it. Let such measures be adopted, and then this country would be put on an equal footing with other countries with respect to prices, and that being effected, he, for one, should not object to free-trade. But what would be the effect of an immediate repeal of the Corn-laws? The first effect would be the transfer of the property in land from its present owners into the hands of their money creditors. He did not speak of marriage settlements, which was a question between relatives—fathers, sons, and daughters—though even in that respect, great changes of property would be effected, and property would be transferred from one branch of the family to another. But when a man mortgaged his estate, he did so upon the faith of the law as it stood, and upon the belief that the British Legislature would never do anything that was unjust. But by the change of the law, the mortgager's interest would be destroyed—the interest could not be realised, the mortgagee would foreclose, and the property would be transferred to other hands. Would that be just on the part of the British Legislature? Much had been said with respect to compensation should this Corn-law be repealed. He would state what were the classes to whom that compensation would be due. First, the landlords—they would not obtain their rents. Next, the farmers. It was true great pains had been taken by travelling orators to deceive the farmers, and to persuade them that their landlords could afford them relief by reducing their rents. But before any such relief could be obtained, the farmer must sell off his stock, and reduce himself to a state of destitution. Upon the faith of Parliament, the farmer had stocked his farm, say to the value of 7,000*l.* Let the Corn-law be repealed, and the value of that 7,000*l.* stock would be at once reduced to 4,000*l.* But, said the Anti-Corn-law advocates, this would be compensated by the reduction of rent; that was a fallacy. The landlords would not reduce their rents until they were driven to do it as a matter of necessity. There was another injured class—the labourers. The farmers would always act upon your own maxim—"buy in the cheapest, and sell in the dearest market," and if the labourers were abundant, wages must be low. This would be the effect of repealing the Corn-law. But there were other classes that would be affected by this change. It should never be forgotten that the national debt was chiefly contracted by money borrowed in a paper currency. But by a sudden repeal of the Corn-law you would deprive persons of the power ro pay the interest of the debt. It was impossible they could maintain their present standard of value if they repealed the Corn-law; and unless some other great act were done by the Legislature, the fundholder must inevitably lose his interest. He was, in principle, a free trader; and all he wished was to see this country placed upon such a footing, that the manufacturers and merchants of this country might be able to exchange freely their commodities for those of other countries. But he would not do as Gentlemen opposite wished to do—put the cart before the horse. Although he wished to see free-trade, he did not desire to have one interest sacrificed for the sake of the rest. He entreated the Government to take up the whole question in a manner more worthy of the dignity of this great country, and more consonant to that justice which was due to the greatest interests of the State.

Mr. *Hume* was quite satisfied that his hon. Friend the Member for Wilts did not mean to rob one party for the sake of enriching another; but his argument in favour of upholding the Corn-law, if successful, would inevitably produce that result. He was convinced that the country was hastening fast to ruin, unless some steps were immediately taken to stay the downward progress. It was the duty of the Government to watch over the various interests of the State, and to adopt a course calculated to avert the impending evil. The right hon. Baronet began a new course last year; he had so far propounded and acted upon sound principles; but why were not those sound principles to be carried further, and to be carried out? From month to month distress had increased, and difficulties had multiplied, and was it fit for those who had the direction of affairs to remain quietly at their posts, to observe the progress of calamity, and to make no attempt at relief? He wished to place before the House the real state of the country, to which sufficient regard had not been yet paid. No branch of trade was conducted so ill and so irregularly as the trade in corn. By a paper on the Table it appeared, that there were no fewer than forty acts of Parliament to regulate the import, and thirty-four acts to regulate the export of grain. All these were varied and contradictory in their provisions, as might well be expected from the fact, that they were based upon no established or intelligible principle. They had been passed by the country Gentlemen from time to time to answer temporary purposes, and he appealed to the right hon. Baronet whether the object of the landed interest throughout had not been merely to protect and benefit themselves? If the country Gentlemen thought that they could continue the system much longer, they would find that they were mistaken. In 1828, 1829, and 1834, he had urged upon the Government the necessity of looking into the state of the corn trade on the Continent. He had warned the House, many years ago, of the formidable rivals, in many branches of industry, that would be found upon the Continent, when war was at an end, and time had been allowed for the cultivation of the arts of peace. When he had formerly recommended a change, his object was not that it should be made suddenly; but he had called upon the House to fix a duty for the importation of grain, and to reduce it by degrees until it was removed altogether. The effect of such a course would have been to have placed Great Britain on an equal footing with the Continent; and until the price of food in this country were no higher (allowing for the difference between a poor and a rich country) than with its neighbours, it would be impossible for it to maintain a competition with the growing manufactures of the rest of the world. If his advice had been taken even in 1834, the country would have been in a far better situation than at present. There was still time to repent, to be wise, and to introduce a remedy. England was the greatest empire of the globe, and England ought to be the cheapest market for every commodity. Bad legislation had hitherto kept her in an artificial state, and the laws respecting corn had been the main source of the evil. The right hon. Baronet had acknowledged that it was impossible for England to maintain the great monopolies which she had enjoyed during the war. Why, then was the corn monopoly to be preserved, which prevented the due action of the great springs of industry? Of late years Belgium had made rapid advances upon us; Germany was also in a state of progress, and America also, had made considerable strides. He was perfectly confident, that in the end our capital must triumph if our affairs were brought back to a sound and healthy state, and if good principles were not only established but persevered in. The present state of distress was produced entirely by the Corn-laws. The change of system commenced last year had produced no material improvement: if there had been any beneficial change, it had been produced by other causes; and by maintaining the Corn-laws, we had shut many articles of our industry out of the continental markets. We had refused to take in exchange for our goods the commodities which other states could give us, and we had thus destroyed our makets and impoverished our own people. This fact was so apparent, that after the Speech from the Throne, stating the prevalence of distress, and that it had caused a defalcation in the revenue, that it was astonishing the right hon. Baronet should have paused in the course he had so well begun. Distress was undoubtedly the cause of the failure of the revenue; what then was the cause of the distress? It was want of employment, not among agricultural labourers, but among the manufacturing population. A fall had, therefore, occurred in the price both of stock and of grain, and how was this condition of affairs to be remedied? He was one who contended, that a Minister ought to propose a free-trade, not merely in corn, but in every article of import not absolutely necessary to raise the revenue. Who ought to make that change? The Government; and he looked to the right hon. Baronet to carry out his own avowed principles. Protection to one class was robbery of the rest; and if the right hon. Baronet were a supporter of monopoly, he was an encourager of robbery. Last year he would have reduced the expenditure to the revenue, but the right hon. Baronet took the course of raising the revenue to the expenditure. The right hon. Baronet had declared, that he would obtain a surplus, and he would maintain public credit by imposing an Income-tax. He had got his Income-tax, but had he got his surplus revenue! Certainly not—the means of paying taxes were diminished with every class. The power, therefore, of sustaining the weight of taxation was lessened, and he ventured to predict that the right hon. Baronet would not be able to increase his revenue unless he altered his system. At this moment an expenditure of 52,000,000*l.* was a heavier weight than an expenditure of 75,000,000*l.* a few years ago. He had ventured to state this to the right hon. Baronet. [Sir *R. Peel*: "When?"] When the question was before the House last Session, he had then said, that increase of taxation would not be increase of revenue. The powers of the country to bear taxation were limited, as he told the late Chancellor of the Exchequer, when he proposed to impose an additional 5 per cent. upon the taxes, and the result showed that he was correct, for instead of raising 2,500,000*l.*, the right hon. Baronet got only 217,000*l.* What was the present state of the income of the country? It was less than last year. There was a deficiency of 3,000,000*l.*; and to what was that to be attributed? To the inability of all classes, but principally of the large mass of artisans, to pay what was demanded of them, or to buy articles from which a revenue was derived. A total change of system was the only effectual remedy. Next year the right hon. Baronet would find, that his Income-tax produced less than in the pesent year: he would find a decrease not only in the assessed taxes, but in the Income-tax. He was happy to observe signs of a slight improvement in some branches of trade, but in general he had heard of no amendment, nor of any prospect of amendment. What then was to be done? We had lost the opportunity of making a gradual change. He did not want cheap bread: he wanted high wages and high prices as the proofs of prosperity. Monopoly had been tried, and had failed; it now only remained to adopt the opposite course; it was better to make the change now, than to wait until distress had been augmented. He agreed with the right hon. Home Secretary, when he said, that he had great doubt whether the Corn-laws had been of any benefit to the landed interest. The prospect of the country was gloomy; rents must be reduced, and poor-rates must increase, and next year the only resource of the right hon. Baronet might be to increase his Income-tax to 1*s.* 2*d.* in the pound. He was not of opinion, that the landed interest was the basis of the wealth of the nation; it was important that they should be rich; but they were to be enriched by the flourishing state of the trading and manufacturing interests. Only the other day a gentleman had died, of whom it was said he was worth 7,000,000*l.* [An Hon. *Member* said 2,000,000*l.*] He was willing to take it at 2,000,000*l.*, but the wealth had been acquired entirely by industry and commerce. When that splendid fortune had been acquired all classes were successful and prosperous; but those who were then able to purchase manufactures were no longer able to do so, and his conviction was, that the system ought to be changed as soon as possible. No time could well be more favourable than the present; the price of wheat was at something like 40*s.* or 43*s.* per quarter. It was about the same on the continent, and some kinds of cattle were as cheap in this kingdom as abroad; therefore there perhaps never was a time when such a change could be made with so little risk; a slight temporary panic might be felt, as indeed it had been felt last year, but it would soon disappear, and the repeal of the Corn-laws was the only mode which would enable the country to sustain its burthens. Looking at the existing depression—at the increasing pauperism—at the 22 or 23 millions of unemployed capital in the Bank of England, everything seemed to require the immediate abrogation of the Corn-laws. The Corn-laws were the source of all the present sufferings. He should be glad to be informed what other cause could be assigned. As the debate was to be finished to-night, he hoped to hear the right hon. Baronet attempt to answer this question. He (Mr. Hume) had given his reasons for thinking that the refual of the Legislature to permit a fair exchange of commodities had thrown hands out of employment, and this was a point for the landed gentry to consider and decide; they of all men would be most benefited by an abandonment of the old vicious system, and he entreated them to reflect upon the consequences of proceeding in the ancient course. The budget this year had been a failure in all the leading articles, and what could the right hon. Baronet expect for the next year? With regard to the claims of the public creditor, the hon. Member for Wilts had said that the land was, in fact mortgaged to him, and he (Mr. Hume) was distinctly of opinion that faith ought to be kept, and must be kept with him. But it would be impossible to keep that faith unless some step were taken to reinstate the commerce and manufactures of the empire. The plan of the right hon. Baronet seemed to be to do nothing more than he had done already. He had had the experience of a-year, and he found that matters were only growing worse because enough had not been done. No time ought to be lost in completing the change, and as the present moment was most favourable he had the greatest satisfaction in supporting the motion of the hon. Member for Wolverhampton.

Sir *John Tyrrell* said, that if ever there were a question on which the House would have been justified in coming to a division four nights ago without further argument, it was the question now before the House. The hon. Member for Montrose (Mr. Hume), in common with other Gentlemen who had addressed the House, had repeated over and over again every description of argument on both sides of the question; but in his humble opinion had failed to show that the distress which all persons in the House admitted was at all attributable to the present Corn-laws. He was a somewhat old Member of the House, though he seldom addressed them, but he never remembered a period when the hon. Member for Montrose, notwithstanding the variety of constituencies he had represented, had not stated that the period in which he happened to be addressing them was one of extraordinary and excruciating distress. The hon. Gentleman described the distress as universal; but he hoped this was not the case, though he deeply deplored that which unquestionably existed. But his principal object in rising was that the hon. Members for Wolverhampton and Stockport should not go off triumphantly with the impression that their opinion of the repeal of the Corn-laws as a remedy for the distress of the country was a growing and prevailing opinion, for he thought he should be able to prove the contrary on no less authority than that of the hon. Member for Nottingham (Mr. Gisborne), who was a jewel of the first water on the Liberal side of the House. That hon. Member had the other night exhibited to them the picture of an old farmer on his old mare; and, copying the hon. Member for Stockport, had described his ride from Birmingham to Liverpool, and the miserable state of the farms in that locality, which he attributed to nothing else than the idleness of the farmers, and the want of that stimulation which he proposed to administer to them. He confessed that he had come to another conclusion. He was certainly of opinion that not only the Gentlemen of Warwickshire and Lancashire, but also Gentlemen on the other side of the House, had much of the sagacity of the deep-mouthed hound, and could smell blood a long way off, and therefore, instead of investing their capital in draining their land, they preferred investing it in railway shares and other speculations in various parts of the country. Although the agriculturists had been described as sinecurists, and he was aware that epithet came from his own side of the House, he thought it was the last description that could be properly applied to them. But the evidence he would adduce against the assumption of the progress of the opinions of hon. Gentlemen opposite was the statement of the hon. Member for Nottingham, that the advocates of a fixed duty were in point of numbers a miserable, contemptible, and paltry body. If, then, he were asked why he differed from those enlightened philosophers by whom the noble Lord the Member for London was surrounded, he answered it was because they boasted of the discovery of a new principle, which was as old as the picture drawn by the hon. Member for Nottingham. If hon. Gentlemen opposite had discovered a new principle, it was at least a merit they must share with foreign nations, who had also discovered a principle which he believed was founded in fact, for the Finance Minister of France had some time since intimated to Louis Philip, that such was the indomitable spirit, perseverance, and enterprise of the manufacturers of this country, that he should be compelled to add a duty of 15 per cent. to save their own manufacturers from utter ruin. This principle had also been discovered by other nations on the Continent and by America, while, as to the much boasted discovery of hon. Gentlemen opposite, it had been acted upon by every higgler, huckster, and pedlar since the memory of man. He thought it must be admitted that those who argued in favour of a free-trade in corn proved too much, because they admitted that the price would rise in consequence, and that the higher the prices rose the worse they would be rewarded. If then this great alteration was to take place, how was the blow to be sustained that would be felt in the transition? Both sides of the House admitted that it would be an advantage to the country that this question should be settled. There were, in his opinion, two modes of settling the question. One was, according to hon. Gentlemen opposite, concession—the other was a declaration of an unqualified and intelligible nature from the right hon. Baronet. It had been the boast of the right hon. Baronet that in all the measures of his life he had never trifled with the great interests of the country. The right hon. Baronet had declared on the hustings that he would lend himself to no measure which had a tendency to withdraw capital from agriculture. He must say, on the part of the farmers of England, that they were now in a state of irritation and alarm, arising, he believed, from the extreme caution which always distinguished the right hon. Baronet, and which he had told them he found so convenient. The right hon. Baronet appeared to have the ghost of finality constantly flitting before his eyes; and he must do him the justice to say, that he thought the right hon. Baronet was deterred from any positive declaration of intention with regard to agriculture by the haunting recollections of the former declarations of the noble Lord the Member for London. For this reason, although the right hon. Baronet so frequently and ably addressed the House, he so surrounded himself with caution that no expression should escape him which hon. Gentlemen opposite could take advantage of, that even if they of the agricultural party were to follow in his wake he was not certain that they would gather many crumbs of comfort. But this he did say, it was in the power of the right hon. Baronet to remedy this state of things by manfully stepping forward, and making intelligible the declaration which he had made to his constituents, and which he had repeated on several occasions. If the right hon. Baronet would repeat that assurance, it would give unqualified satifaction to those he had the honour to represent; and the chance of hon. Gentlemen opposite of again taking their seats on the Treasury bench would be very small indeed. On the part of the agricultural interest, he must say that they gave the right hon. Baronet credit for having last year made every possible effort to revive the trade and manufactures of the country, with the least possible injury to the agricultural interest. Still, upon the whole, they did not think they were fairly and openly dealt with by the right hon. Baronet in first bringing forward the Corn-law, then the tariff, then the grinding question, and now having, as it were, the Canada Corn Bill in his waistcoat pocket. The impression among the people was that the right hon. Baronet had staked his reputation as a statesman on his Corn Bill and his tariff, and he was bound to say that he did not think those measures were of a mischievous or dangerous tendecy. He must say that, in one respect the farmers had no right to complain, since they had called on the right hon. Baronet to prevent the frauds in the averages, and on this point he thought the right hon. Baronet might turn round on his accusers. The noble Lord the Member for London, after exciting a laugh against his right hon. Friend the Member for Kent, had endeavoured to impress upon them, for the fiftieth time, the advantage of a fixed duty over a sliding-scale? He hoped that when the noble Lord next favoured them with a dissertation on the subject, he would answer this plain question: If it were admitted by the advocates of protection that 80*s*. a quarter was too much, and by Gentlemen on the other side that 30*s*. a quarter was too little, on what principle was it, save that of this much abused sliding-scale, that these two extremes could be reconciled? Philosophers, by whom the noble Lord was surrounded, notwithstanding their claim that their principles were in the ascendant, were many of them very dear philosophers. On perusing their *Blue Books*, he must say that some of them were very dear in proportion to the amount of information which they afforded. It must be great humiliation to these Gentlemen to see themselves, as it were, riding at single anchor. Their hope was that hon. Gentlemen on his side were riding with springs on their cables, and that they were prepared to throw over the agricultural interest of the country. Such had been thrown out in the course of the debate; but he did not believe a word of it. According to their principles, the Chancellor of the Exchequer, instead of having a beggarly account of empty boxes, ought to find matters improving. He believed it to be the fact that at this moment beef in France was dearer than beef in London. The manufacturers on his side of the House would bear him out in saying that the cotton manufacture was never in a more prosperous state than it was at this moment. He had endeavoured to state his opinions as an agricultural Member, and he trusted that the House would see, in the division that would take place to-night, there would be no cause to regret the support of her Majesty's Government. He calculated on a large majority, and trusted they would not be disappointed.

Mr. *Henry Berkeley* said, when it was considered the number of petitions he had laid on the Table, and the active part which his constituents had taken for the abolition of the Corn-laws, by various important public meetings, he trusted hon. Members would grant him but a few moments. When it was considered, too, the little regard paid to petitions laid upon that Table, he felt it to be incumbent upon the representatives of the people, to express the sentiments of their constituents on occasions so important as the present. It was true the great city he had the honour to represent did not feel that misery which more manufacturing districts presented, yet the depression of trade, the discharge of operatives, and the labour of those who could find work, reduced to half price—the ship yards closed, or only partially in operation, the broom at the mast-head of merchant ships, the manufactory of machinery, on which Britain once prided itself, hourly declining—all this with the increases of rates, all inadequate to meet the increase of pauperism, presented a picture harrowing to contemplate. Yet, under these circumstances, hon. Members opposite schooled them on their behaviour—insisted upon those who, in and out of that House, advocated the abolition of the Corn-laws, using courtly and holiday expressions. It was true he did not advocate violence of language—far from it. He knew that no cause gained any thing by intemperance of expression; yet it was difficult for the representatives of a starving population, all relief denied to them, to preserve perfect equanimity. The hon. Member for Ipswich (Mr. Gladstone) had remarked upon observations which had fallen from the hon. Member for Salford. He rebuked the hon. Gentlemen for saying that the agriculturists kept up the price of bread, in order to keep up their rents; nay, they all on the opposite side abused the Corn-law League for their tracts; they would not endure to hear of a conspiracy of the rich to defraud the poor. Did hon. Gentlemen think that such accusations were new? Did they think they originated with the advocates for the abolition of the Corn-law? Far from it. Such things were said two hundred years ago, and by grave authorities; he would quote one, Sir Thomas More, Lord Chancellor of England; and in a work published by him in 1639, there were expressions used by that great authority against class legislation and political conspiracies of the rich to defraud the poor, which if they had been published in a Corn-law pamphlet, would have been termed inflammatory, immoral, and damnable, and turned out of the cottages of the poor, as in Dorsetshire. Sir Thomas More, said,

> "Therefore, when I consider and weigh in my mind all these Commonwealths, which now a-dayes any where do flourish, so God help me, I can perceive nothing but a certaine conspiracy of rich men procuring their own commodities, under the name and title of the Commonwealth. They invent and devise all meanes and crafts first how to keep safely, without fear of losing, that they have unjustly gathered together. And next, how to hire and abuse the worke and labour of the poore, for as little money as may be. These devices, when the rich men have decreed to be kept and observed under colour of the commonalty, that is to say, also of the poore people then—they be made lawes. And that you may perceive this the more plainly—consider with yourselves, some barraine and unfruitful yeare, wherein many thousands of people have starved for hunger. I dare be bold to say, that in the end of that penury, so much corne or graine might have been found in rich men's barnes, if they had been searched, as being divided among them whom famine and pestilence then consumed, no man at all should have felt that plague and penury."

Thus wrote a Lord Chancellor of England, and he thought such opinions, falling from such an authority, were a very fair precedent for those who employed the same on the present occasion. He would not further detain the House, but felt it to be his duty to return thanks to the hon. Member for Wolverhampton, on behalf of his constituents, and on behalf of himself, for persevering in that motion, the object of which, if adopted, he honestly believed to be the only cure for the prevailing distress, and furthermore persisting in a House constituted as the present, which by its very formation must be predetermined to reject it. It signified not, defeat might be present, but future victory could not long be delayed; the progress this cause had made among the agriculturists, and the dissensions evident among the opponents of the measure, afforded the strongest proof of it.

Sir *Walter James* said, that this was a question of great importance, although much might be said on both sides. There were certain maxims of free-trade, which were so clear and distinct as to carry conviction to all minds, and among them was that free-trade was only barter, and that we ought to sell in the dearest and buy in the cheapest market. It appeared to him that corn was the standard of all value, and that in legislating upon this subject, they must legislate not only with regard to landed property, but with reference to every species of property. The question of Corn-laws was described to be one, on which the fundholders were ranged on one side and the landed proprietors on the other. Protection had been given to the interests of both, but that in favour of the fundholder he believed predominated. He spoke as a person whose whole property was vested in the public credit of the country, but being thus situated, he was prepared to throw himself into the same boat with the landowners, and was willing to share any sacrifices which they might be called upon to make. He could not blind himself to the state of the country; it presented many uncomfortable symptoms, but he did not attribute these misfortunes to any particular party. He was fully prepared to assist her Majesty's Government in any means which they might adopt to get rid of the existing difficulties, and he was confident that there were means by which this country might be restored to a condition of the greatest prosperity. He looked to emigration and to an extension of trade as affording in themselves the ingredients of such a restoration. He believed that it was essential that the right hon. Baronet (Sir Robert Peel) should go on with those measures which he had commenced, so much to his credit, last year. Under all circumstances, the right hon. Baronet ought to proceed with the removal of commercial restrictions, and he believed that another most important effort for him to make would be to reduce the charge of the public debt, so far as was consistent with the public credit. He had no idea of voting in favour of the present motion, but he should qualify his vote by saying, that he was prepared to enter to the fullest extent into the causes of, with a view to remedy the existing distresses of the country.

Lord *Worsley* said, he wished to put a question to the right hon. Baronet at the head of her Majesty's Government, in order that when he rose to address the House, he might afford an answer. He had seen reported in the papers of that morning, a declaration made by a noble Lord in another place, a Member of her Majesty's Government, which could not fail to attract the attention of the farmers. He recollected that a declaration of a similar nature had been made by the right hon. Baronet at the early part of the Session, and the right hon. Baronet appeared to him to have taken pains to qualify that expression. The right hon. Baronet had said, that the Government did not contemplate any change in the Corn-laws during the present Session. He viewed with apprehension, and he believed that the farmers would entertain the same feeling respecting the declaration to which he had alluded, and he sincerely trusted that the right hon. Baronet would be able to tell the House that the report was an erroneous one. The noble Lord was reported to have said that,

> "Her Majesty's Government did not intend to make any alteration in the Corn-law this Session; that the Canada Corn-bill was, in fact, no alteration of the Corn-bill of last year, because it was announced at the time."

Now, he would ask any of the county Members on the other side of the House, whether they would not bear him out when he said, that they had had no intimation of any further change. He must also say, that he could not but believe that the farmers of this country had been deceived by what had been said in reference to the intentions of her Majesty's Government on this subject, because, although the right hon. Baronet had told the House that he had no intention to alter the system of Corn-laws, he had, at the same time, turned round to hon. Gentlemen behind him, and had declared that he would not accept their support if it was to be given on the supposition that he pledged himself not to alter the Corn-law. Before the retirement of the late Government, however, the farmers had been told that no alteration whatever was to be made, and that it was only to rally round the right hon. Baronet to prevent any such interference with their rights. When these circumstances were remembered, and that the majority of that House had been returned in consequence of the exertions of the landed interest—when it was known that it was a general impression amongst the agriculturists that there would be no change—when it was recollected that the farmers had been told that the act of last Session was a settlement of the question—could any surprise be felt, he asked, that the farmers were discontented? He said, that they had reason to be discontented, and to call upon the right hon. Baronet for a clear exposition of his intentions. He could only attribute the conduct of the right hon. Baronet to this—that, having fruitlessly endeavoured to reconcile the conflicting interests upon this question, he had at length thrown up the task in despair, under the impression that the existing state of things was so bad, that it was impossible that it should be remedied. He thought that the country was entitled to have the real opinion of the Government, whether they thought the Corn Act was a good or a bad measure. In the announcement made the other evening in the budget, there was no mention made of agricultural distress; and on this point, too, the farmers had a full right to complain, for by the calculation of the right hon. Baronet of the amount of income-tax derivable from tenants, 150,000*l.* was the sum expected, whereas, in fact, the amount really derived from this source was 330,000*l.* He was aware that a great deal of alarm was felt on this subject. It had not been his intention to have addressed the House; but knowing how great and how general was the alarm that prevailed, he thought that it was but justice to the agricultural interest to ask for an explanation from her Majesty's Government, of the declaration that had been made by them, and the statement of which he had found in the morning papers, having taken care to confirm that statement as it appeared in the different papers.

Sir *R. Peel:* The progress of this debate has confirmed the impression which I had before it commenced, that almost all the arguments which it was possible to adduce on each side of the House had been exhausted, and that it was not probable that any ingenuity on the part of any speaker could present either side of the question in a new point of view. I repeat, that what has passed in the course of this debate has confirmed that impression. In the course of this discussion, I have heard little that is new; I have heard little more than a repetition of former arguments. As for myself, having frequently been called upon to discuss this question—having had frequent opportunities of delivering my opinions upon it, I confess I have no new argument to offer; and nothing but the importance of the subject, and the position in which I stand, would have induced me to overcome the reluctance which I feel again to present myself to the House. I must, however, for one, thank the hon. Member for Wolverhampton—for the manner in which he has presented his motion to the House. With the opinions the hon. and learned Member entertains on the subject, it is creditable to him that he has solicited the decision of the House upon the broad principle involved in his proposition. There was no subterfuge either in the motion or in the speech of the hon. and learned Gentleman—there was no attempt to catch a stray vote by a plausible reference to the nature of the motion—the hon. and learned Gentleman does not call upon the House to resolve itself into a general committee on the Corn-laws, but he asks the House to resolve itself into a committee on those laws, specifying the precise object for which he solicits that committee, namely, to effect a total and immediate repeal of those laws. I shall address myself to that which is properly the subject of debate, and assign the reasons why it is impossible for me to give my assent to that proposition. The principle involved in the resolution is much wider than the resolution itself. The hon. and learned Gentleman proposes that to-night we should affirm the total and immediate repeal of the Corn-laws; but the great principle is further involved in the resolution, namely, that every duty on every article which savours of protection shall be at once abolished, and I think it would have been better, considering the principles avowed by the hon. and learned Gentleman, that instead of moving for the immediate and total repeal of the Corn-laws, he should have made his resolution concurrent with his argument and have proposed to the House to resolve that all duties savouring of protection should be abolished. Depend upon it, Sir, if the present motion is carried, long prescription, vested interests, the application of capital under the existing law, cannot operate to prevent the application of that great principle to duties being protection, or as you call them monopoly and robbery. If that be true as applied to the Corn-laws, do not—as the hon. and learned Member for Bath has said,—do not delude yourselves, for the same principle must be applied immediately and completely,—not by removing only duties imposed for purposes of revenue, but to every duty which operates as protection to any interest favoured by law. Can it be questioned—and this is the only point on which I quarrel with the fairness of the hon. and learned Gentleman—can it be questioned that it would have been fairer to have advanced that principle boldly than to lay it down partially, when its consequences are so clear and apparent? But let us see what we are called upon to affirm by this resolution. Not a trade in this country, the produce of which is protected by a duty upon foreign articles entering into competition with it, can hope to retain that protection. There must be an immediate and complete repeal; for, observe, what your own argument is. You say that on the establishment of a certain principle, the practical execution of that principle is immediately to follow. From your argument, no vague inference is to be drawn. You have sounded the knell of protection by the adoption of that principle, and, therefore, you must immediately proceed to abolish, as respects manufactures, without exception, all and every duty upon the import of foreign manufactures which operates as a protection. Of course, then, this is a subversion of the whole arrangement that was made last year by the adoption of the tariff. How complicated are the consequences to which this leads. Every duty arranged last year by the tariff must undergo instant revision. If you are unwilling to sacrifice the revenue you must for instance restore the duties on colonial timber, because the imposition of a duty on foreign timber operates as a protection to colonial timber. Are you prepared to abandon the duty levied upon foreign timber? it operates as a protection, and if you are not so prepared, the consequence is, that you must replace the duties on colonial produce, and therefore, I say, that by acceding to this motion, I must not only abolish every duty on every article of the nature of provisions, but I institute an immediate reversal of the whole arrangements made by the tariff of last year, excepting so far as the revenue is concerned. But the next consequence that flows from the adoption of this resolution is the immediate subversion of the whole of the colonial system. The entire colonial system will at once be swept away, unless you will leave the colonial interests to drag on a precarious existence, without letting the capitalist know what is the legislation by which he is to be governed; in fact, it follows, as the necessary consequence of the adoption of this resolution, that the whole colonial system must be at once abolished; that is to say, that this country must not, on a careful revision of the colonial system—must not, after a gradual and well-considered attentive consideration of the abstract principle, but upon a resolution to be affirmed to-night, consent to subvert at once the whole colonial arrangements so recently made. Of course, I apply to the colonists the benefit of the principle we claim for this country. At present, our manufactured goods are admitted into the colonies on a footing more favourable to us than to foreigners. Whether wise or unwise, this is the nature of our colonial connection. This country said to the colonies, "I will be responsible for your security and internal order, and the return I ask for is the favour and privilege of the admission of my manufactures." This is granted; and for this we give the colonies corresponding advantages. This is the system which has endured for years; it is a system that may be unwise, and contrary to sound principle in the abstract, but would any sane assembly of legislators, knowing the extent of our colonial empire, consent by the adoption of the resolution of to-night at once to subvert, without delay or consideration, the whole of that system. Have you who support this resolution considered the effect the adoption of its wide principle would produce upon countries like India and Canada? Admitting, for the sake of argument, that the principle involved in the resolution is wise, did you ever find any writer on political economy who recommended legislation on a principle of this kind? Do I say that I would protect these interests for the sake of individuals? No; but I say, looking at the extent of capital invested on the faith of the law, it is impossible to contemplate what the consequences would be, not only to the landed interests, but to the manufacturers of this country and the interests of our colonists. The vote of the 4th of August in the National Assembly of France, by which all privileges were abolished, was not adopted with less consideration than would this principle, if you ask now at once to deal thus with these interests. Can you answer this argument?—can you deny that if you affirm the principle of this resolution as professedly applied to the protection to land, there ought to be a repeal of every duty which gives protection, and which you call monopoly?—that monopoly ought to cease, that there ought to be no preferences of colonial interests, and no sacrifices in return. [*Mr. Villiers:* "Hear."] I am glad that the hon. Gentleman admits, that it is a necessary consequence. But with that admission, I ask the House if it feels that it is in accordance with the national interests and security by the vote of one night to adopt a principle like this. That is the question. You ought, as legislators, well to consider your votes — to anticipate the possibility that you may be in a majority. I am certain, if hon. Gentlemen will admit that, that it is not honest from the conviction that you will be in a minority, and will escape the practical consequences of your vote, to vote contrary to this admission. I give hon. Members credit for the integrity of their motives, and I ask them then if they were responsible for the colonial interests of this country—if they were responsible for the public safety, and for the consequences that might ensue, not from injury to individual interests, but from the disturbance of capital to such an extent invested under laws which I will admit, for the sake of argument, require careful revision and alteration—would they, by the vote of one night, risk the consequences which the pledge of such a resolution would give? Now, observe, I have the admission of the hon. Gentleman (Mr. Villiers), which I expected, that though the principle of the resolution is applicable apparently to corn, yet there is no one article, whatever the extent of capital employed in producing it, the manufacture of which can be affected by the sudden import of immense quantities of foreign produce, but, whatever the consequences may be, the manufacturers of it must be prepared to adopt the immediate application of this principle. If I were prepared to agree to such an abstract principle as that embodied in the resolution, I should shrink from its application. Those who have none of the responsibility imposed on the executive Government of the country urge this measure; but no executive Government would indirectly incur the responsibility of immediately announcing and applying such a remedy. From the legitimate consequences flowing from the resolution of the hon. Gentleman, it does appear to me that I have stated conclusive reasons why, in the present state of this country, or in any conceivable state of this country, the representatives of the country should act with more caution and deliberation than that with which they will act if they affirm the resolution tonight. If the hon. Gentleman should say to me that which I am sure he will not say, that I am assuming that the resolution includes principles more extensive than it does, that it is applicable to corn only, even then it would be utterly impossible for me to assent to the resolution as applied to the trade in corn. Sir, I concur in much that was said by the noble Lord as to the general principle which should govern the consideration of this question; I remain as opposed to him as ever upon the practical measure to be adopted; but as to the general principle with which we should view alterations in the Corn-laws, I do not materially dissent from the noble Lord. The noble Lord laid down the principle as strongly as it was put by any Gentleman on this side of the House, that even if these laws required alteration, you ought to be cautious in retracing your steps and applying remedies. That was the principle as laid down by the noble Lord, and he supported his opinion by reference to high authority—to the authority of Adam Smith, and he might have done it by reference to Mr. Huskisson. Every one who has considered this subject, the more carefully he has considered it the more convinced he has become of the abstract principle, and the more unwilling he has been to pledge the abstract principle by an incautious application of it to practice. I was sorry to hear the noble Lord after he had admitted that principle, take an unfair advantage of an expression used by my right hon. Friend the Vice-president of the Board of Trade in saying that "he had placed the landlord on the footing of a sinecurist." My right hon. Friend might have used the word "sinecurist" in enforcing the propriety of caution, where there were great vested interests at stake; but all that my right hon. Friend said was, even where you are dealing with that which is the most obnoxious interest even with the sinecurist, even there you recognise his claim for compensation; how much more, then, is there a necessity for cautious legislation, when you are dealing with the great body of landholders of this country, and with capital invested on the faith of the existing law? That was the argument of my right hon. Friend, and the noble Lord took an unworthy advantage of it in saying that my right hon. Friend classed the whole body of agriculturists with sinecurists, and placed them on the same footing. Again, I think with the noble Lord, that not only for the protection of individuals, but for the public interest, great caution is necessary. I think with the noble Lord, that the landed interest is entitled to protection upon the just ground of being called on to bear special burthens. [*Hear, hear.*] Sir, I am stating my opinion. I am repeating that I admit, that having frequently discussed this subject, as I stated at the outset, it is difficult to allege any new argument. I am stating my concurrence with the noble Lord with respect to the protection which ought to be afforded to agriculture on account of the burthens imposed on land which are not imposed on other property. It is the landed property of the country which maintains the Church establishment. I say that the greatest writers on this subject have admitted that the tithes do constitute a peculiar burthen upon the land. [*Interruption.*] Permit me to state my own opinions; they are a fair subject for canvass. But I must say the advocates for liberality are the most intolerant of the opinions of others. My intention is to discuss this subject with the spirit and temper with which a subject of so much importance should be discussed. I shall avoid all personal imputations, and I shall not think it necessary to reply to those which have been advanced. If any one is to be deterred from expressing his opinions by abuse, or diverted from his argument by retaliating that abuse, it is impossible we can come to any conclusion; we cannot conduct the argument in a satisfactory manner, or in a manner worthy of the question. And I protest, because I may entertain opinions differing from the hon. Gentleman, against the imputation being cast upon me, of acting from improper or corrupt motives. The imputation affects me little; I shall not follow the example of those who use such personal imputations, having a strong conviction, that they recoil on their authors. I was stating that the land was subject to peculiar burthens; I should think no one will say it is not. I constantly hear this address made to the proprietors of land, "Beware of the course you are taking; the great manufacturing towns in the times of their prosperity have drawn the rural population within their limits. They have made no provision in the time of prosperity for the support of the labourers in the time of decay; and that they will avail themselves of the existing law—disgorge the superfluous and unemployed population on the land, and having extracted from them, in the time of manufacturing prosperity, all the good they could, then that they will not support them in time of difficulty, but will return them to the land, and the burthen of supporting them will be on the land." And, therefore, I should have expected a ready assent to my argument that the land is called on to bear burthens imposed materially by the manufacturing districts. But observe what was the principle of the law; was it not the original principle of the law that the profits of stock in trade should be made subject to this burthen? Have you not departed from it? Why? Because the land is permanent, is tangible, is always visible; that there is less of inquisition, and less of exaction in levying the burthens on land, whilst you say it is impossible to determine the amount of stock or profit for the purpose of assessing it for the poor-rate or the county-rate, without occasional difficulty, and consequently you have abolished that principle of law, and the land is left alone to bear that burthen, which the original principle of the law contemplated should be partially borne by the profits of stock in trade. I will take the single case of barley. I think you raise 8,000,000*l.* or 9,000,000*l.* a-year from the tax on barley. I think the duty is above 8,000,000*l.*, and in addition you subject the landowner to great difficulties in conducting his operations. You say to him, "In order to secure this revenue from a single article, we will interfere with the operations of your trade and subject you to peculiar supervision, interrupt you in the application of your capital, and prevent you from making the most of the barley you have." I know the answer to this statement will be, that this duty is not a burthen peculiar on land—that it is borne by the consumer. Let us try to apply the same sort of reasoning, supposing a tax were proposed to be imposed on the cotton manufacture. Supposing the manufactured articles of cotton were subjected to a duty for the purpose of raising 2,000,000*l.* or 3,000,000*l.*, I apprehend the cotton manufacturers of this country would decidedly object to such an imposition. They would say, "At the time we are pressing you to take off the duties on raw articles, and while we complain of the duty on foreign raw cotton as a grievous exaction, to propose to raise two or three millions by a duty on manufactured cotton, would be an act of folly and insanity, of which no man fitted to serve in office in this country could be guilty." If I answered them by saying that foreign silks and articles of foreign manufacture, which entered into competition with their goods, would come in more freely if their goods were taxed—that the tax on their goods would fall on the consumer, and that they (the producers) had no reason to complain—would they be satisfied with these observations? and, therefore, though I cannot admit that the malt-tax is to the extent in which it has been represented, a burthen exclusively on land, yet as the removal of the malt-tax would give great facility to the operations of those concerned in the malting business, I must say that it is a heavy duty on an article of agricultural produce, which must operate as a disadvantage in the application of capital in that particular direction. For these reasons, I have a strong impression that on the ground of special burthens there is a claim for protection on the part of the land. The noble Lord, the Member for Sunderland, denies that the land has any claim for protection, and he yet would consent to a fixed duty for the purpose of raising revenue. Now, I think the noble Lord, the Member for the City of London, on the principle which he holds, that extreme caution is necessary in dealing with these complicated interests, and that (looking to the cost of production and the special burthens borne by agriculturists) land is entitled to protection—that noble Lord, I think, would be able, on such a principle, consistently to advocate and maintain protection; but I must say my confidence in the maintenance of the protection offered by the noble Lord, the Member for Sunderland—namely, that a duty might be levied for the purpose of revenue, would be very weak indeed. In the first place, it is not clear, if there is no claim to such a duty on the ground of protection, that the duty, exclusively for the purpose of revenue, would be easily defensible; but of this I am sure, that the noble Lord would find it more difficult to maintain in argument that if it were right to levy a duty on corn, domestic corn, should escape from that duty. After all, what would a tax on foreign corn, though raised (it may be asserted) for the purpose of revenue—what would such a tax, from which British corn should be exempted, be but protection under a false pretext. It would be neither more nor less than that. The noble Lord, the Member for Sunderland, contended that the land is entitled to no protection, and he said that if in 1828, a duty of 10*s.* had been imposed on foreign corn for the mere purpose of revenue, nobody would have found fault with it. If, then, the noble Lord's proposition were adopted, to give protection by the circuitous mode of extracting revenue from foreign corn, to which revenue domestic corn should not contribute, it is my belief, that the Anti-Corn-law agitation would not so soon cease as the noble Lord supposed. With respect to barley, the principle of the noble Lord is reversed, as I stated on a former night; and in this instance we have no scruple in taxing the domestic article. [Lord *Howick*: "There is no tax on barley — the tax is on malt."] The noble Lord intimates that my argument does not apply, because the tax is levied on malt, and not on barley. Then, instead of speaking of a tax on corn, if I spoke of a tax on bread, would that satisfy the noble Lord. For the reasons I have stated, and on the general principle, I concur with the noble Lord the Member for the city of London, that the land is fairly entitled to protection on just and equitable grounds; and I dissent from the noble Lord the Member for Sunderland, feeling very little confidence in the protection he offers by means of a fixed duty, imposed for the purpose of revenue, and which, in the course of this debate, has been reduced to 4*s.* or 3*s.* With respect to the existing law, I differ from the noble Lord the member for the city of London, still retaining my opinion, that if the noble Lord attempted to impose a duty which he contemplated, whether it were 8*s.* or 10*s.*, it would be very doubtful whether the levy of it could be ensured under circumstances, the recurrence of which we must anticipate. Acting on the principle which the noble Lord opposite has advocated, that we should attempt a fair compromise of a long litigated question, I proposed, in the course of last year, with the concurrence of my colleagues, a measure which appeared to the Government, under all the circumstances of the country, to be an equitable and fair proposition. We did contemplate and did effect, I admit, a very material reduction in the amount of duty levied on foreign corn. But this is not the only point on which we affected the landed interest. We removed altogether the monopoly of the supply of cattle and meat. We removed the prohibition which prevented the importation of foreign cattle and meat. This was hailed as a most satisfactory arrangement, and confident predictions were made by hon. Gentlemen on the other side of the House that important consequences would follow from these measures to the trade of the country. I am now quite surprised to hear the tone of an hon. Gentleman opposite. He says, that from the partial application of our principles announced last year no good has resulted, and that we have done nothing by removing the monopoly of the supply of cattle and meat. All this, he says, has afforded no relief to the country and no stimulus to commerce, and yet the conclusion to which he comes is, to recommend us to proceed in the course we have adopted and to carry our principles into effect. It would have been more consoling to us, and certainly more consistent with reason, if the hon. Member had said, that the sound principles which we propounded last year had proved beneficial in their operation, not indeed to the extent which he expected, but still most beneficial, and this is an encouragement for us to proceed in the same course; but when he says that the Ministers have done nothing, and that their measures have entirely failed, and yet at the same time encourage us to proceed in the same course, I really cannot understand the argument of the hon. Gentleman. We removed the protection on domestic timber, seeds, and on a variety of articles, and extensive alterations were made. I believe the effect of those alterations has been most advantageous. I can make no retraction of the principles on which I then acted. I am satisfied with them and desire their application. Therefore I dissent from the hon. Gentleman, and, looking at the reduced price of provisions and the increased comforts of the labouring classes of this country, I cannot regard without satisfaction, generally speaking, the operation of the principles on which her Majesty's Ministers have acted, though at the same time I deeply regret whatever partial distress may have been the consequence of our measures. The noble Lord opposite (Lord Worsley) has asked me to give some assurance with respect to the future. Her Majesty's Ministers proposed the Corn-law last year in the hope that it might be an adjustment of this question. They could not say that the measure should be irrevocably final and unalterable; but her Majesty's Ministers had no dirty intention in their minds of proposing an abrogation of the Corn-laws. In a matter of this immense importance, I consider political support to be of no slight consequence; but, however painful it may be to lose it, I cannot attempt to conciliate political support by making any inconsistent declarations. Her Majesty's Government offered this law as a fair and equitable adjustment of the question; and they thought it would be met in a fair and conciliatory spirit by the landed interest: and I never will say, with respect to any law of this nature, that the fear of losing political support shall induce me to sacrifice my opinion. I tell this to the noble Lord, that I do not maintain the law, merely because it was passed last Session; nay, I must admit, that if it were true that the law is irreconcilable with the interests of the country, and that a better law could be proposed, it would be the duty of the Government to propose, and Parliament to adopt, such a law. It is utterly impossible, in a commercial matter like this, to combine influences for the purpose of maintaining, as you suppose, your consistency; because it is not like a great political principle, it partakes of nothing of that character. But I say, that intervening experience has not convinced me that the law is a bad one. With the opportunity of watching its operation, I see no reason to infer that the principle of a fixed duty is preferable to that which I proposed. What were the objections which were offered against the law last year? Let us see what they amounted to. In the first place, it was said that it would have no effect whatever in diminishing the price of corn; and I remember that a most confident prediction on that head was uttered by one hon. Gentleman, that it would keep corn at 72*s*. But there has been a material reduction in the price of corn. I know that some say, that is not in the least degree owing to the law; others again, attribute it to the law. However, the fact cannot be denied, that from some cause or other there has been a material reduction in the price of wheat, the main article of subsistence. I must say, that nothing surprises me more than to hear the cost of subsistence spoken of as a matter of indifference. The hon. Member for Montrose, as I understood him, expressed himself utterly indifferent to the price of food. The argument was, that the high price of food was of no consequence if wages were high, yet no argument has been more frequent than that the price of food being higher here than on the Continent, it is impossible for the manufacturer to compete with foreigners. It has been argued, too, that several millions of money per annum have been absorbed by the high prices of corn; and a pamphlet was written by Mr. Greg to show that the quantity of money absorbed in the purchase of articles of subsistence prevented the manufacturers from having as large a market at home as low prices would have afforded them. That was the argument; there was the greatest advantage, it was said, in having the price of provision low, for then we could compete with foreigners, while at home it would enable parties to appropriate their money to the purchase of manufactured articles. Therefore I am surprised, whatever may be the cause of the price of corn being low, to hear that the reduction in price is of no advantage. But what is the object of all this? Is it not to try to raise an agricultural clamour about the lowness of prices. That is a most unfair and unworthy course. It was said again, that the importation of foreign corn would lead to the export of bullion, and derange the monetary system of this country. Well, there was a large importation of foreign corn last year, has there been any great export of bullion? At any rate, that has not taken place. It was said, also, that the system of averages which I introduced, would have no effect upon the admission of foreign corn; nay, it was said, that if it had any effect, it would be to diminish the average. Now it so happens, that the effect of increasing the number of towns has been to increase, rather than to diminish the average, and therefore to facilitate the admission of foreign corn. I was surprised to hear the hon. Member for Wolverhampton repeat the statement over and over again, that I guaranteed to the farmer a price of 56*s.* I have seen this constantly stated:—

> "The First Lord of the Treasury promised that you should have a remunerating price of from 54*s.* to 58*s.*, and now you have but 46*s.* How can you ever repose any confidence in him?"

My answer is a simple reference to statements which I did make. I was referring to the price of corn for some ten or twelve years before, and I stated all the difficulties of determining what would be a remunerating price; but I said the average of the ten or twelve preceding years was 56s., and I stated also that upon the adjustment of the Tithe Commission the average was also taken at 56*s.*, and that as far as the Legislature was concerned, I thought it probable that the effect of this law would be to prevent oscillations to a greater extent than from 54s. to 58s. I further stated, that I did not see any advantage to agriculture in having the price of corn at a higher rate than 58s. But when you quote that, it is but fair that you should quote the qualification in the context. What was it that I said? At the same time, that I made a reference to the price of 54*s.* and 58*s.* I said this in the same speech, and immediately preceding that allusion—

> "Nothing can be more difficult than to attempt to determine the amount of protection required for the home producer. I am almost afraid even to mention the term 'remunerating price,' because I know how vague must be the idea which is attached to it. The price requisite in order to remunerate the home-grower must necessarily vary; a thousand circumstances must be taken into account before you can determine whether a certain price will be a sufficient remuneration or not."

Again, I said—

> "Now, if we take the average price of wheat which determines the commutation of tithes, the principle on which the Tithe Bill passed, taking the average of seven years, we find the price of wheat during those seven years to have been 56*s.* 8*d.* If we take the average of wheat for the last ten years, we shall find that the price has been about 56*s.* 11*d.*; but in that average is included the average of the last three years, when corn has been higher certainly than any one would wish to see it continue. Allowing for that excess of price, however, 56*s.* 11*d.* was the average price for the last ten years. Now, with reference to the probable remunerating price I should say, that for the protection of the agricultural interest, so far as I can possibly form a judgment, if the price of wheat in this country, allowing for its natural oscillations, could be limited to some such amount as between 54*s.* and 58*s.*, I do not believe that it is for the interest of the agriculturist that it should be higher. Take the average of the last ten years, excluding from some portion of the average the extreme prices of the last three years, and 56*s.* would be found to be the average; and, so far as I can form an idea of what would constitute a fair remunerating price, I for one should never wish to see it vary more than I have said. I cannot say, on the other hand, that I am able to see any great or permanent advantage to be derived from the diminution of the price of corn beyond the lowest amount I have named, if I look at the subject in connection with the

general position of the country, the existing relations of landlord and tenant, the burthens upon land, and the habits of the country. When I name this sum, however, I must beg altogether to disclaim mentioning it as a pivot or remunerating price, or any inference that the Legislature can guarantee the continuance of that price; for I know it to be impossible to effect any such object by a legislative enactment. It is utterly beyond your power, and a mere delusion to say, that by any duty, fixed or otherwise, you can guarantee a certain price to the producer. It is beyond the reach of the Legislature. In 1835, when you had what some thought was a nominal protection to the amount of 64*s*., the average price of wheat did not exceed 39*s*. 8*d*., and I again repeat, that it is only encouraging delusion to hold out the hope that this species of protection can be afforded to the agriculturist. To return, however, to the subject; I again say that nothing can be more vague than to attempt to define a remunerating price."

Now, I think I have read sufficient to show that I did not undertake to guarantee by legislation any price whatever. With regard to the lowness of price, I think that the Corn-law of last year has not been the cause of it. When I speak of a reduction in the cost of living, I cannot claim either for the tariff or the Corn-law the full extent of that reduction. I fear the reduction in the price of agricultural produce has arisen to a considerable degree from that depression of trade and diminished power of consumption of which we have had too many melancholy proofs. I wish my agricultural friends to remember that I said before this discussion on the Corn-laws came on, that it was my firm conviction, as it still is, that the prosperity of the manufacturing and commercial interests of this country is much more essential to the prosperity of the landed interest than any Corn-law whatever. I am not using new language in expressing that opinion. I have said the same thing on more than one occasion before; and, Sir, if you could convince me that the Corn-law was the cause of the manufacturing depression which has existed, or, if I could bring myself to believe the exaggerated statements which have been made with respect to the cause of that depression, I should feel the strongest conviction that the agriculturists would best consult their own interests by consenting to an alteration. But I at once declare that I distrust those statements—that I do not believe the Corn-law to be the cause of the manufacturing depression. When the hon. Gentleman tells me of former successes in trade—of the immense profits which were made by manufacturers in former years—let me remind him that all those successes and all those profits accrued under a Corn-law. If then the existing Corn-law be fatal to manufacturing prosperity, how does he account for the fact of such prosperity having occurred at former periods when the same law was in existence? I will show him that prosperity and the Corn-law have co-existed. It has been said that the greatest manufacturing prosperity of this country was in the years 1835 and 1836. The Corn-law was in operation during both those years. Yes, but your reply to this is, that in those years food was cheap. Why, so is food cheap now. It is nearly as cheap now as it was in 1835 and 1836; and why should I admit that it is the existence of the Corn-law which is fatal to manufactures, when I find that in those years you had the law in full operation, and at the same time had the public declaration of the Manchester Chamber of Commerce to the effect that trade was never more flourishing. But your greatest objection to the Corn-law is, that it has a tendency to encourage speculation. You tell us, among other things, that last year there was a rise in price just before the harvest, and that the consequence was, a large importation of foreign corn which was met by the abundant crop, and consequently proved unremunerative to its holders. Now, I think it is hardly fair to try the existing Corn-law with reference to the circumstances of the last year. What were the circumstances of the last year? Certainly in the spring of last year large speculations took place in the importation of foreign corn, and these speculations were entered into on the assumption that there would be an unfavourable and a defective harvest. There never was a period when greater exertion was made than in the spring of last year to bring in large quantities of corn, on account of the expectation that prevailed that there would be a failure of the harvest. That conviction remained in full force up to a very late period of the year, and the harvest turning out favourable, an occurrence so widely different from that which was expected, naturally caused losses which are not to be traced to the Corn-law. You are not testing the law fairly, therefore, if you try it by the circumstances of last year. But nevertheless, let us see what the law really did last year. It came into operation on the 28th of April. At the 13*s.* duty which then, or shortly after occurred, 26,000 quarters of wheat were imported. At the 12*s.* duty, the amount during the two weeks ending the 13th and 20th of May, 50,000 quarters were imported; and in the weeks ending the 18th and 25th of June, when the duty was 9*s.* and 10*s.*, not less than 76,000 quarters were brought in. This shows that the law did not operate badly. But the truth is, that both speculations were entered into, and the natural operation interfered with, in consequence of certain motions made, and speeches delivered within these walls. Some hon. Members were, up to the latest moment, loud in their predictions of a deficient harvest, and their language was very influential in inducing corn-merchants to enter into speculation, and the holders of corn to retain their purchases in expectation of a further rise. It was so late as the 7th of July that the hon. Member for Aberdeen submitted a motion to this House to give a power to the Queen in Council to remit the duties on corn during the recess. What would the speculator in corn naturally do when he saw motions of that kind made, and read such speeches, (which, of course, operated as an encouragement) but hold back his corn? What said the noble Lord the Member for Tiverton, a person of high distinction in this House, and who held a Cabinet office under the late Administration? On the 11th of July, at the very time when all those speculations were going forward, the noble Lord said, in this House:

> "I venture to predict that if Parliament does not meet before November the Government will have to let out the bonded corn,"

That was the confident prediction of the noble Lord; I acquit the noble Lord of all improper motives. He was, I am sure, expressing a *bonâ fide* opinion, and never thought of interfering with the operation of the law; he believed that the harvest would prove defective—that another 2,500,000 quarters of corn must be imported from the Continent, at whatever price; but when the speculators heard a person in the situation of the noble Lord make that declaration, they would natually say—and the greater their confidence in the noble Lord the more inclined they would be to say—"We will keep back our corn, for there is every prospect of a rise in the price;" and I must say, that if the agricultural interest have suffered from the sudden influx, at a critical period, of large quantities of corn, they have to thank the noble Lord and his predictions for that influx of corn. But the noble Lord was not the only prophet of evil. There was another noble Lord—I mean the Member for Sunderland. That noble Lord, with the high sanction of his name, after the law passed, at a time when persons were pouring in corn to the extent of forty and fifty thousand quarters, at a duty of 10*s.* and 12*s.*, gave notice of a motion to release all corn in bond at a fixed duty of 6*s.* a quarter until the month of March, 1843. Corn then was brought into this country under the belief that the harvest would be a bad one, and at the same time there were three Gentlemen in this House—supposed to speak with the best authority and most complete information on the subject—declaring that if the speculators kept back their corn they would be sure to have a much lower duty, and giving notice of motions, which, if they had been carried, would have effected that object. Is it not then, fair to suppose that the natural operation of the new law was, to some extent, defeated by predictions of this kind, that that law has not had a fair trial, and is not to be judged by the circumstances of last year? But to go to another point. I am taking the objections to the measure *seriatim*. I know that it has been a favourite objection to the sliding-scale that it has had the effect of preventing the employment of British shipping in the carrying of foreign corn, and of giving employment to foreign ships. It is said, that the duty on corn, varying inversely with the price when the duty is low, a sudden demand for foreign corn arises, which is shipped at foreign ports, and that few British ships are employed in carrying it. I know that this has been repeatedly urged upon the shipping interest for the purpose of inducing them to join in demanding a fixed duty in preference to a varying duty, which it was represented gave the advantage of the carrying trade to foreign ships. Now, what are the facts? I hold in my hand a return of the number of ships entered inwards with corn. In 1842 there were 4203 corn-laden ships entered in the ports of England. Of these 2346, or considerably more than one-half, were British ships. In 1841 the corn laden ships entered were in number 4705; but of these only 1887, or considerably less than one-half, were British. So far, therefore, as we can form a judgment, the present law does not operate to discourage the employment of British ships. Next, looking to the question of steadiness of price, I can see no impeachment of the new law on that score. Of course the price being 64*s*. the object was to reduce it, and immediately after the harvest a fall ensued; but on the whole, looking at prices since the harvest, I own I cannot see that any formidable objection is to be made to the law on that ground. Looking, then, at the objections to the law—looking at the frauds which have been checked—looking at the export of bullion which the hon. Member for Wolverhampton himself allowed to have ceased. [Mr. *C. Villiers:* "I said it ceased when the importation was regular."] The hon. Member, in making that admission, spoke of last year—looking at the increased employment of British shipping—and looking at the state of prices which certainly have been steady, and not immoderately low—looking, I say, at these things, I do think that I am entitled to declare the present Corn-law to be an improvement on its precursor, and that it has worked anything but injuriously for the commerce of the country. Upon these grounds I see no reason for retracting the favourable opinion which I entertained and expressed of the present law. I think that frequent alterations in laws of this kind, are in themselves to be deprecated. I think, also, that the existing law, offered as a compromise, was a fair adjustment of the question. I believe that there was as willing and as cordial an assent given to it by the agricultural interest as could have been anticipated. I think they gave that assent upon the assumption and in the expectation that the law would not be again altered without good and sufficient reason. I do not mean to say that I could set up that as a ready argument against alteration of the law, if alteration were shown to be desirable; but, certainly, unless solid and sufficient reason for further alteration be shown, I think that that assent ought to prevail and hold good. Upon the subject of the Canadian Corn Bill, I do not now mean to enter; but I can state with truth, that the question of the admission of Canada corn was part of the original arrangement. It is no new measure, but one brought forward in execution of a promise given to Canada at the time this subject was under consideration, and which we feel it incumbent on us to fulfil. We know that the re-agitation of this question must expose us to difficulty and must have a tendency still more to alienate the confidence of many who have supported us, but we consider that we have given an engagement to the people of Canada which it is our duty to fulfil—that we have held out to them expectations which it is our duty to realise. I hope in the course of what I have addressed to the House, I have answered satisfactorily the question put to me by the noble Lord. As I said before, we proposed the present measure of the Corn-laws, not with any secret reservation or secret intention of effecting another alteration; I contemplate no such alteration; my opinion is, that there has not been sufficient time allowed for trying the effect of the present law; but that so far as a trial has been given to it, the effect favourably confirms the anticipations I formed respecting it. The noble Lord the Member for Sunderland, has referred to my conduct on the Roman Catholic question, and stated that I should be prepared to make further concessions. The noble Lord also spoke of my being desirous to please both parties, but be that as it may, if I have had such an object in view, I am afraid that I have failed in accomplishing it. Persons in my situation —in the situation of her Majesty's Government—in endeavouring to steer a middle course, not adhering to one extreme or another, may expose themselves to that imputation. But that course was not taken with any other view than that of doing what we considered to be best for the public interests. I can solemnly assure the House that, in the course which we have taken—risking, as we did last year, the confidence and the friendship of many of our supporters—risking, I may say, the fate of the Government—that course was dictated with reference to what was best and most advisable for the public interests. And when I say that the same regard for the public interests shall influence me and her Majesty's Government, with respect to this important concern, I hope the House will believe that I do not make that declaration for the purpose of providing a refuge for myself and my colleagues against any political storms to which we may be exposed, but because I think it most suited to the magnitude of those interests and concerns which are placed in the hands of the responsible advisers of the Crown.

Viscount *Howick*, in explanation, assured the right hon, Baronet that nothing was farther from his intention than to cast any imputation on his motives. What he said was, that the right hon. Gentleman's judgment had proved defective on a former occasion, and that he believed it would prove so again; that when upon the Catholic question he had found himself mistaken, he made the best reparation in his power, and that he would act similarly on this question.

Mr. *O. Stanley* moved, that the debate be now adjourned.

Mr. *M. Gibson* seconded the motion.

Sir *R. Peel* hoped the debate would be brought to a close that night. The subject had been already fully discussed. The course which the House had adopted, of not beginning the debate until about ten o'clock, up to which time the House was comparatively empty, left so short a time for discussion, that if they were to continue such a course and persist in adjournments, the debate could not be brought to a close within any resonable period, while the public business would be greatly impeded, He hoped that the House would not consent to any further adjournment. [*Cheers and cries of* "*Divide.*"]

Mr. *M. Gibson* did not understand what the right hon. Gentleman meant by saying that the debate did not begin until ten o'clock. He (Mr. Gibson) thought it had gone on throughout the night without cessation. Many hon. Gentlemen on his side the House were desirous of explaining the vote which they should give, and he therefore thought the motion for adjourning the debate a very judicious one.

Lord *J. Russell* said, that when the right hon. Gentleman wished last year to put an end to the discussion after it had lasted a certain number of nights, he called on the House not to concur with the right hon. Gentleman, as several hon. Members, who ought to be heard, had not spoken. Now, however, that the question had been so long and so often debated, he did not believe, that eithe for the purpose of enabling the House to form a deliberate opinion on the subject, or enabling their constituents throughout the country to understand the grounds on which they voted, it was necessary that the debate should be again adjourned. Of course the right hon. Baronet was prepared to listen to any reply which hon. Members might think proper to make. If hon. Members behind him persisted in moving the adjournment of the debate, he should vote against the motion.

Mr. *Hume* said, in support of the motion, that seven or eight hon. Members were anxious to address the House, but how could they, at that hour of the night? [*Loud cries of* "*Go on,*" "*Adjourn,*" *and* "*Divide.*"]

Mr. *Cobden:* If he entertained any doubt as to the propriety of adjourning the debate at that time of the night (a quarter to one o'clock) the inhuman noises which proceeded from hon. Members would dispel that doubt. The course which hon. Members had taken satisfied him as to the necessity of an adjournment. [*Cries of* "*Go on,*" "*No adjournment.*"]

Mr. *Ewart*, who spoke amidst great confusion, said, there were many hon. Members representing large manufacturing towns, he referred particularly to the hon. Members for Stockport and Manchester, who were anxious to address the House upon the important question under its consideration. These were the very men whom the House ought to hear, as they represented the movement for total repeal. [*Continued cries of* "*Adjourn,*" "*Divide,*" "*Order.*"]

Mr. *Villiers* said, the right hon. Baronet who opposed the adjournment, did not finish his speech till a quarter to one o'clock, and it was hardly fair to expect hon. Members then, to answer him, particularly as there was little probablity of their speeches being faithfully reported. It was only just that the representatives of the people should be heard.

Sir *J. Hanmer* said, there was the greatest possible disposition to hear hon. Members. What practical result would be obtained from the divison? Four nights had already been wasted. As hon. Members persisted in moving the adjournment of the debate, he begged to move as an amendment that the House do now adjourn.

Mr. *Ward* obtained a hearing after some further confusion, and said, it would be inconsistent with the character and dignity of the House not to dispose of the present question. He must be allowed to say, that if her Majesty's Government attempted in this way to stifle the voices of those who represented large towns, they could expect no other result from their conduct than this, that their measures would in turn be opposed and thwarted by those whom they thus sought to deprive of an opportunity of expressing the sentiments of their constituents. He would ask the hon. Member for Hull whether he felt that he could conscientiously persevere in the motion which he had made.

Sir *R. Peel* said, he should give his vote against the motion that this debate be adjourned, because he thought it had been sufficiently discussed. At the same time, he did not think it would be a satisfactory way of disposing of the question by a motion for the adjournment of the House, because it was important that the House should pronounce an opinion on the main question, and that opinion would not be pronounced if an adjournment of the House was agreed to. The motion was of such importance that the country ought to know the sense of the House upon it. He (Sir R. Peel), hoped, therefore, that the hon. Baronet would not seek to dispose of the motion in a manner unsatisfactory to all parties—to those favourable, and to those adverse to repeal. If, therefore, the motion to adjourn the House was persisted in, he would vote against it.

Sir *J. Hanmer* said, he had only one object in moving an adjournment of the House, namely, to protest, in the most forcible way, against the motion for adjourning the debate. Gentlemen around him were ready to remain there till daylight, in order to briing the debate to a close. If the hon. Gentleman opposite would withdraw his motion for adjourning the debate, he would be quite ready to withdraw his amendment.

Mr. *Muntz* said, he represented a large community, who were suffering severely and who attributed their sufferings to the Corn-laws. He had risen three times last night, to state his views, and seven times this night, but he had not been fortunate enough to catch the Speaker's eye.

Lord *J. Russell* hoped the hon. Member for Hull (Sir J. Hanmer) would withdraw his motion.

Sir *J. Hanmer* said, that after the appeals that had been made to him, he should certainly not persist.

The motion that the House do adjourn was withdrawn.

The House divided on the question that the debate be adjourned, when there appeared—Ayes 94; Noes 385: Majority 291.

List of the AYES.

Aglionby, H. A.
Aldam, W.
Barclay, D.
Barnard, E. G.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Blewitt, R. J.
Bowring, Dr.
Brotherton, J.
Browne, hon. W.
Busfeild, W.
Chapman, B.
Christie, W. D.
Cobden, R.
Collett, J.
Collins, W.
Corbally, M. E.
Crawford, W. S.
Dalmeny, Lord
Dalrymple, Capt.
Dashwood, G. H.
Dawson, hon. T. V.
Dennistoun, J.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Dundas, Adm.
Dundas, D.
Ebrington, Visct.
Ellice, E.
Ellis, W.
Elphinstone, H.
Ewart, W.
Fielden, J.
Fleetwood, Sir P. H.
Forster, M.
Fox, C. R.
Gill, T.
Gore, hon. R.
Hall, Sir B.
Hastie, A.
Hill, Lord M.
Hindley, C.
Hollond, R.
Horsman, E.
Hoskins, K.
Hume, J.
Jervis, J.
Johnson, Gen.
Johnston, A.
Layard, Capt.
Leader, J. T.
Lord Mayor of London
Marjoribanks, S.
Marshall, W.
Marsland, H.
Martin, J.
Muntz, G. F.
Murphy, F. S.
Napier, Sir C.
O'Brien, J.
O'Connell, M. J.
Oswald, J.
Parker, J.
Pechell, Capt.
Philips, M.
Plumridge, Capt.
Ricardo, J. L.
Roche, Sir D.
Ross, D. R.
Russell, Lord E.
Scholefield, J.
Scott, R.
Seymour, Lord
Smith, B.
Standish, C.
Stuart, Lord J.
Stuart, W. V.
Strickland, Sir G.
Strutt, E.
Tancred, H. W.
Thorneley, T.
Trelawny, J. S.
Turner, E.
Villiers, hon. C.
Wakley, T.
Walker, R.
Wallace, R.
Ward, H. G.
Wawn, J. T.
Williams, W.
Wood, B.
Worsley, Lord
Yorke, H. R.

TELLERS.
Stanley, W. O.
Gibson, M.

List of the NOES.

Ackers, J.
Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Adare, Visct.
Adderley, C. B.
Alexander, N.
Allix, J. P.
Antrobus, E.
Arbuthnott, hon. H.
Archbold, R.
Archdall, Capt. M.
Arkwright, G.
Arundel and Surrey, Earl of
Ashley, Lord
Astell, W.
Attwood, M.
Bagge, W.
Bagot, hon. W.
Bailey, J.
Bailey, J. jun.
Baillie, Col.
Baillie, H. J.
Baldwin, B.
Balfour, J. M.
Bankes, G.
Baring, hon. W. B.
Baring, rt. hn. F. T.
Barneby, J.
Barrington, Visct.
Baskerville, T. B. M.
Bateson, R.
Bell, M.
Bell, J.
Benett, J.
Bentinck, Lord G.
Berkeley, hon. G. F.
Bernard, Visct.
Blackburne, J. I.
Blackstone, W. S.
Blakemore, R.

Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bowes, J.
Boyd, J.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Broadwood, H.
Brooke, Sir A. B.
Bruce, Lord E.
Bruce, C. L. C.
Bruen, Col.
Buck, L. W.
Buller, Sir J. Y.
Bunbury, T.
Burrell, Sir C. M.
Burroughes, H. N.
Campbell, Sir H.
Cardwell, E.
Castlereagh, Visct.
Cavendish, hn. C. C.
Cavendish, hn. G. H.
Cayley, E. S.
Chapman, A.
Charteris, hon. F.
Chelsea, Visct.
Chetwode, Sir J.
Childers, J. W.
Cholmondeley, hn. H.
Christopher, R. A.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Clive, Visct.
Clive, hon. R. H.
Cochrane, A.
Codrington, C. W.
Colborne, hn. W.N.R.
Collett, W. R.
Colquhoun, J. C.
Colville, C. R.
Compton, H. C.
Connolly, Col.
Coote, Sir C. H.
Copeland, Mr. Ald.
Corry, right hon. H.
Courtenay, Lord
Craig, W. G.
Cresswell, B.
Cripps, W.
Curteis, H. B.
Damer, hon. Col.
Darby, G.
Davies, D. A. S.
Dawnay, hon. W. H.
Denison, E. B.
Dick, Q.
Dickinson, F. H.
D'Israeli, B.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Douro, Marquis of
Dowdeswell W.
Drummond, H. H.
Duffield, T.
Dugdale, W. S.
Duncombe, hon. A.
Duncombe. hon. O.
Dungannon, Visct.
Du Pre, C. G.
East, J. B.
Eastnor, Visct.
Eaton, R. J.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Emlyn, Visct.
Escott, B.
Estcourt, T. G. B.
Etwall, R.
Evans, W.
Farnham, E. B.
Feilden, W.
Fellowes, E.
Ferguson, Sir R. A.
Ferrand, W. B.
Filmer, Sir E.
Fitzmaurice, hon. W.
Fitzroy, hon. H.
Flower, Sir J.
Follett, Sir W. W.
Ffolliott, J.
Forbes, W.
Forester, hn. G. C.W.
Fox, S. L.
Fuller, A. E.
Gaskell, J. Milnes
Gisborne, T.
Gladstone,rt.hn.W.E.
Gladstone, Capt.
Glynne, Sir S. R.
Gordon, hon. Capt.
Gore, M.
Gore, W. O.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hon.Sir J.
Granby, Marquess of
Greenall, P.
Greenaway, C.
Greene, T.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grimston, Visct.
Grogan, E.
Grosvenor, Lord R.
Hale, R. B.
Halford, H.
Hallyburton, Ld. J. F.
Hamilton, J. H.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge,rt.hon.SirH.
Hardy, J.
Hatton, Capt. V.
Hawes, B.
Hay, Sir A. L.
Hayes, Sir E.
Heathcote, G. J.
Heathcote, Sir W.
Heneage, G. H. W.
Heneage, E.
Henley, J. W.
Henniker, Lord
Hepburn, Sir T. B.
Herbert, hon. S.
Heron, Sir R.
Hervey, Lord A.
Hillsborough, Earl of
Hinde, J. H.
Hodgson, F.
Hodgson, R.
Hogg, J. W.
Holmes, hn. W. A'C.
Hope, hon. C.
Hope, A.
Hope, G. W.
Hornby, J.
Howard, Lord
Howard, P. H.
Howick, Visct.
Hughes, W. B.
Hussey, T.
Ingestre, Visct.
Inglis, Sir R. H.
Irving, J.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt
Kelburne, Visct.
Kelly, F. R.
Kemble, H.
Ker, D. S.
Kirk, P.
Knatchbull,rt.hn.SirE.
Knight, H. G.
Knight, F. W.
Labouchere, rt. hn. H.
Langston, J. H.
Langston, W. G.
Lawson, A.
Lefroy, A.
Legh, G. C.
Leicester, Earl of
Lemon, Sir C.
Lennox, Lord A.
Leslie, C. P.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, H. H.
Lockhart, W.
Long, W.
Lopes, Sir R.
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Maclean, D.
Mc.Geachy, F. A.
Maher, V.
Mahon, Visct.
Mainwaring, T.
Mangles, R. D.
Manners, Lord C. S.
Manners, Lord J.
March, Earl of
Marsham, Visct.
Martin, C. W.
Marton, G.
Master, T. W. C.
Masterman, J.
Maunsell, T. P.
Maxwell, hon. J. P.
Meynell, Capt.
Miles, P. W. S.
Miles, W.
Milnes, R. M.
Mordaunt, Sir J.
Morgan, O.
Morgan, C.
Morison, Gen.
Mundy, E. M.
Murray, C. R. S.
Neeld, J.
Neeld, J.
Neville, R.
Newport, Visct.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
O'Brien, A. S.
O'Brien, W. S.
O'Conor Don
Ogle, S. C. H.
Ossulston, Lord
Owen, Sir J.
Packe, C. W.
Paget, Lord A.
Palmer, R.
Palmerston, Visct.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Pennant, hon. Col.
Philips, G. R.
Phillpotts, J.
Pigot, Sir R.
Plumptre, J. P.
Polhill, F.
Pollington, Visct.
Pollock, Sir F.
Ponsonby, hon. C. F.
Powell, Col.
Praed, W. T.
Price, R.
Pringle, A.
Protheroe, E.
Pusey, P.
Ramsbottom, J.
Rashleigh, W.
Reid, Sir J. R.
Rendlesham, Lord
Repton, G. W. J.
Rice, E. R.

Richards, R.
Rolleston, Col.
Rose, rt. hn. Sir G.
Round, C. G.
Round, J.
Rous, hon. Capt.
Rushbrooke, Col.
Russell, Lord J.
Russell, C.
Russell, J. D. W.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Scarlett, hon. R. C.
Scrope, G. P.
Seymour, Sir H. B.
Shaw, rt. hon. F.
Sheil, rt. hon. R. L.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Sibthorp, Col.
Smith, A.
Smith, rt. hn. T. B. C.
Smyth, Sir H.
Smollett, A.
Somerset, Lord G.
Sotheron, T. H. S.
Spry, Sir S. T.
Stansfield, W. R. C.
Stanton, W. H.
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Talbot, C. R. M.
Taylor, J. A.
Tennent, J. E.
Thesiger, F.
Thompson, Mr. Ald.
Thornhill, J.
Tollemache, hn. F. J.
Tollemache, J.
Tomline, G.
Towneley, J.
Trench, Sir F. W.
Trevor, hon. G. R.
Trollope, Sir J.
Trotter, J.
Turnor, C.
Tyrell, Sir J. T.
Vane, Lord H.
Verner, Col.
Vesey, hon. T.
Vivian, J. H.
Vivian, J. E.
Waddington, H. S.
Welby, G. E.
Wellesley, Lord C.
Wemyss, Capt.
Whitemore, T. C.
Wilbraham, hon. R. B.
Williams, T. P.
Wilshere, W.
Winnington, Sir T. E.
Wodehouse, E.
Wood, Col.
Wood, Col. T.
Wood, G. W.
Wortley, hon. J. S.
Wortley, hon. J. S.
Wyndham, Col. C.
Wynn, rt. hn. C. W. W.
Wynn, Sir W. W.
Yorke, hon. E. T.
Young, J.

TELLERS.

Fremantle, Sir T.
Baring, H.

Original question again put.

Captain *Berkeley* said, he represented a great commercial city, but owed his seat to the popularity and influence of a great landowner, therefore his views of the question were impartial, for self, after all, was a great motive. The hon. Member for Somersetshire had said, the agriculturists should yield no more concessions, while the hon. Member for Stockport on the other side cried out, "No surrender." Under such circumstances, how could there be any satisfactory settlement except by a compromise? He should vote for the motion, not as approving of immediate and total repeal, but as expressing an opinion that the existing law must be altered.

Mr. *W. O. Stanley* again moved that the debate be now adjourned.

Mr. *Ricardo* seconded the motion, remarking that the Speaker had been in the Chair ten hours.

Viscount *Dungannon* protested against this course as most unjustifiable.

Sir *C. Napier* said, that the right hon. Baronet ought to have spoken sooner.

Mr. *Borthwick* said, the real reason why the continuance of the debate was thus pertinaciously resisted was, that it was desired to carry the powerful speech of the right hon. Baronet to some agitating "convention," for the purpose of attempting at leisure, and with the aid of a hundred heads, to dissect, and if possible, damage, the arguments which none of the boasted advocates of free-trade in the House dared now endeavour to answer; to try to torture and twist it, with the hope of extracting some points of imputation, or some appearances of admission, and to exercise upon it all the tricks and arts of an insidious and disingenuous criticism. To defeat so unworthy an object on the part of men who had thrown away repeated opportunities of speaking, had they been only sincerely desirous of expressing their own opinions, he would lend his most earnest aid.

Viscount *Sandon* said, the hon. Member for Stockport had had every opportunity to answer his right hon. Friend, and that he had not done so was because he felt himself unable. He protested against this new doctrine, that the leaders of a party, by holding back their speeches, should be able to protract a debate indefinitely. He was disposed to show that they were not to be trifled with; and all they could do was to mark their sense of this conduct by persisting in their opposition to the motion of the adjournment.

Mr. *Hawes* observed, that they had now lost an hour and twenty minutes (it was now past two o'clock) discussing whether they should adjourn. In that time they might have finished the debate.

Sir *R. Peel* disclaimed having delayed his speech for the purpose of preventing a reply. He would beg to be excused taking part in this renewed discussion on the adjournment.

Mr. *Cobden* said, that the noble Lord (Lord Sandon) had not very charitably said he was unable to answer the speech of the right hon. Gentleman. The fact was, that there was not an argument in the speech of the right hon. Baronet that he had not answered fifty times.

The House again divided on the question that the debate be now adjourned.—Ayes 80; Noes 273:—Majority 193.

Original question again proposed.

Mr. *M. J. O'Connell* said, that his constituents were in a state of great depression, and believed it was caused by the fallacious system of so-called protection. Although he would have preferred the adoption of the course suggested by the noble Lord, the Member for Sunderland (Lord Howick), he would, under present circumstances, give his support to the motion of the hon. Member for Wolverhampton.

Mr. *Ewart* moved, that the debate be now adjourned.

Viscount *Dungannon* said, he would be sorry to see this question got rid of by a side-wind. He thought ample opportunity had been afforded to all hon. Gentlemen who were desirous of speaking on this question. The House had, on several important occasions, sat until six or seven o'clock in the morning before a division took place, and as he thought the course taken by hon. Gentlemen opposite was wholly uncalled for, he was determined to remain till eight o'clock in the morning, if necessary, in order to resist their proceedings.

Mr. *Hawes* said, the right hon. Baronet, the First Lord of the Treasury, and the noble Lord, the Member for the City of of London, had both left the House, and he thought in their absence no satisfactory decision could be come to.

Lord *C. Hamilton* said, that the noble Lord had left the House because he was disgusted with the course that had been taken.

Captain *Bernal* said, an hon. Member opposite had termed the conduct of hon. Gentlemen on his (the Opposition) side of the House, disgusting. He must say that he thought the course adopted on the opposite side was most unconciliatory and insulting.

The *Speaker* said, that the hon. Member was not justified in using such language in that House.

Captain *Bernal:* Of course, it was unparliamentary; but if the right hon. Gentleman would allow him to take a word from the vocabulary of the other noble Lord, he would say it was uncalled for. And now he was prepared to sit even an hour longer than proposed by the noble Lord, and would willingly sit till nine o'clock.

Mr. *Hume* would ask what was the object of the other side; was it to stop all further discussion. He appealed to the ministry, whether they could consistently persist in this course [*Much confusion.*]

Mr. *M. Gibson* would submit to the right hon. Baronet, the Secretary for the Home Department, whether he would not answer the question of the hon. Member for Montrose. Was it not a tyrannical exercise of power to refuse to hear the minority at their own convenience. Public business was not so pressing as to require the debate to be terminated that night.

Sir J. Graham left the House.

Lord *J. Manners* moved, as an amendment on the motion, that the House do now adjourn.

Mr. *C. Villiers* opposed this amendment. This was a most indecent and improper mode of disposing of this question. He believed that this mode of disposing of a question would not be adopted in any other case. It was notorious that the majority of the House had a direct interest in this question. [*Continued interruption.*]

Mr. *Christopher* hoped the noble Lord would withdraw his amendment.

Lord *J. Manners:* Though on the ground stated by the hon. Member for Wolverhampton I should not think of withdrawing the motion, yet at the request of the hon. Gentleman I shall—

Mr. *T. Duncombe* objected to the amendment being withdrawn

Motion that the House do adjourn put and negatived.—The question again put that the debate be adjourned.

Mr. *M. J. O'Connell* said, that as they were deserted by their leaders on both sides (Sir R. Peel, Lord J. Russell, Sir J. Graham, and others, had left the House,) they must consider what was best for their own dignity and for the interests of the country. He hoped he should not appeal in vain to the common sense of the House. If the motion of the noble Lord were to be carried the hon. Member for Wolverhampton could renew the discussion on the plea that the discussion of the question had been got rid of in a most unjustifiable manner; and if those on his (Mr. O'Connell's) side of the House pressed that motion to a division, they would be also in the wrong. He hoped, therefore, that the motion would be allowed to be withdrawn, and that mutual concession would be made by both parties.

Mr. *Ward* said, that it would be impossible under the present circumstances to take the division upon the main question. The House was not at present in a temper to deal properly with the question, and there were faults at both sides.

Mr. *E. Ellice* appealed to the Vice-president of the Board of Trade to endeavour to put a stop to the scene that had been going on for the last three hours. He thought there was no one who wished well to the dignity and authority of the House of Commons who would not lament the violence that had been exhibited on that occasion.

Mr. *Mackenzie* rose to move the exclusion of strangers.

Mr. *E. Ellice* thought it would have been better for the credit of the House had the hon. Member moved to exclude strangers some hours before. The public out of doors would not then have been made aware of what had been going on, and which he very much feared would not tend to raise the character of the House in their estimation. He must again entreat the Vice-president of the Board of Trade, who was the sole representative of the Government then present, to interfere. It seemed to him a matter of astonishment that her Majesty's Ministers should have left the House, considering the excitement which they saw prevailing among their own supporters, and which they made no attempt to allay.

Strangers were ordered to withdraw.

During the exclusion, the following debate took place:—

Mr. *Hindley* entreated the House to show some respect to the Speaker, who had already been twelve hours in the chair.

Dr. *Bowring* deemed it most unwise to engage in such a controversy. The right hon. Baronet had admitted, in the course of last Session, that in such a contest the minority must inevitably prevail.

Mr. *T. Duncombe* urged the necessity of mutual concession. If such a course were not adopted, the result might be that on future occasions public business might be impeded. Hon. Members might well exclude the reporters, for they were ashamed of their own proceedings.

Viscount *Dungannon* asserted that he had done nothing which was not entirely in accordance with the forms of the House. He should vote against the adjournment of the debate.

Viscount *Ebrington* said, that if the noble Lord was not out of order, neither were Members on that side of the House.

Mr. *Hume* said, that after the course which her Majesty's Government had taken upon this occasion, he should protest against any public business going on until the question was settled. The responsibility of these proceedings would fall upon the Government.

The House divided on the question that the debate be now adjourned.—Ayes 78; Noes 172: Majority 94.

Original question again proposed.

Captain *Bernal* thought that these proceedings on the part of the hon. Member who moved to exclude strangers, were sufficient to show that this was in reality a question of rent. Hon. Members were convinced of the iniquity of the law, and were afraid of allowing their proceedings to go forth. He had received a requisition from his constituents, chiefly farmers, who were convinced of the futile and inane arguments of the majority, and had called on him to support the motion of the hon. Member for Wolverhampton. The scene which had been enacted would satisfy the world that the proceedings of that House were a mere farce.

The *Speaker* called upon the hon. Member to retract an expression which must be deemed disrespectful to the House.

Captain *Bernal* was willing to retract the expression if it were unparliamentary. He might at least say that their proceedings strongly resembled low comedy. He put it to the hon. Baronet the Member for Oxford whether these were proceedings, which in his opinion, would be likely to benefit the cause of the high Church party of which he was the prominent supporter in that House! The hon. Member concluded by moving as an amendment, that the Ecclesiastical Courts Bill be now read.

The *Speaker* having put the question,

Viscount *Sandon* rose and said, that when this discussion had commenced, he was convinced that the minority must succeed. He was content, for his own part, that they should carry their object, for he was sure such a result would have its due weight with the House, and the country. They had now gone far enough. He was content with their present position, and was willing that the opposition to the minority should no longer prevail, but in retiring he believed he carried with him the trophies of victory.

Lord *Barrington* was convinced that such proceedings would lower the House in the estimation of the country.

Mr. *Hume* thought that if it was to

be understood that the debate was to be adjourned, that all further opposition might cease.

Amendment withdrawn.

The House again divided on the question, that the debate be now adjourned.—Ayes 119; Noes 74: Majority 45.

List of the Ayes.

Acland, Sir T. D.
Acton, Col.
Aglionby, H. A.
Alexander, N.
Allix, J. P.
Antrobus, E.
Baillie, Col.
Baldwin, B.
Barnard, E. G.
Barrington, Visct.
Benett, J.
Berkeley, hon. H. F.
Bernal, Capt.
Blackburne, J. I.
Blewitt, R. J.
Bowring, Dr.
Brooke, Sir A. B.
Brotherton, J.
Browne, hon. W.
Busfeild, W.
Chapman, B.
Christie, W. D.
Christopher, R. A.
Cobden, R.
Collett, J.
Collins, W.
Crawford, W. S.
Dalrymple, Capt.
Dashwood, G. H.
Dawnay, hon. W. H.
Dickinson, F. H.
Douglas, Sir C. E.
Duncan, G.
Duncombe, T.
Dundas, Adm.
Du Pre, C. G.
Ebrington, Visct.
Ellice, E.
Ellis, W.
Elphinstone, H.
Fielden, W.
Fielden, J.
Fellowes, E.
Fleetwood, Sir P. H.
Forbes, W.
Forster, M.
Gibson, T. M.
Gill, T.
Greene, T.
Grimston, Visct.
Grogan, E.
Hamilton, W. J.
Hamilton, Lord C.
Hanmer, Sir J.
Hastie, A.
Henley, J. W.
Hillsborough, Earl of
Hindley, C.
Hoskins, K.
Hume, J.
Inglis, Sir R. H.
Jermyn, Earl
Johnson, Gen.
Layard, Capt.
Leicester, Earl of
Lincoln, Earl of
Lowther, J. H.
Lyall, G.
M'Geachy, F. A.
Marsham, Visct.
Marsland, H.
Martin, J.
Martin, C. W.
Master, T. W. C.
Milnes, R. M.
Muntz, G. F.
Murray, C. R. S.
Napier, Sir C.
Newry, Visct.
O'Brien, J.
Oswald, J.
Paget, Lord A.
Pechell, Capt.
Philips, M.
Plumridge, Capt.
Ramsbottom, J.
Ricardo, J. L.
Rolleston, Col.
Ross, D. R.
Round, J.
Russell, Lord E.
Ryder, hon. G. D.
Sandon, Visct.
Scholefield, J.
Scott, R.
Seymour, Sir H. B.
Stansfield, W. R. C.
Stuart, W. V.
Strickland, Sir G.
Tancred, H. W.
Tennent, J. E.
Thornely, T.
Trelawny, J. S.
Trotter, J.
Turner, E.
Villiers, hon. C.
Waddington, H. S.
Wakley, T.
Wallace, R.
Ward, H. G.
Wawn, J. T.
Wellesley, Lord C.
Williams, W.
Wood, B.
Worsley, Lord
Wortley, hon. J. S.
Wynn, rt. hn. C. W. W.
Yorke, H. R.

TELLERS.
O'Connell, M. J.
Ewart, W.

List of the Noes.

Ackers, J.
Arkwright, G.
Baillie, J., jun.
Blackstone, W. S.
Blakemore, R.
Borthwick, P.
Boyd, J.
Bradshaw, J.
Broadwood, H.
Buller, Sir J. Y.
Chetwode, Sir J.
Clayton, R. R.
Clerk, Sir G.
Clive, Viscount
Cochrane, A.
Collett, W. R.
Colvile, C. R.
Copeland, Ald.
Cripps, W.
Curteis, H. B.
Darby, G.
Duncombe, hon. O.
Eastnor, Visct.
Egerton, Sir P.
Ferrand, W. B.
Filmer, Sir E.
Fitzmaurice, hon. W.
Flower, Sir J.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Gore, W. R. O.
Granby, Marq. of
Henniker, Lord
Hepburn, Sir T. B.
Hervey, Lord A.
Hodgson, F.
Hodgson, R.
Hope, A.
Hughes, W. B.
Hussey, T.
Ingestrie, Visct.
Jones, Capt.
Knight, F. W.
Lawson, A.
Lockhart, W.
Long, W.
Mainwaring, T.
Manners, Lord
Masterman, J.
Maxwell, hon. J. P.
Mundy, E. M.
Neville, R.
Peel, J.
Plumptre, J. P.
Polhill, F.
Pringle, A.
Rashleigh, W.
Repton, G. W. J.
Richards, R.
Rushbrooke, Col.
Sibthorp, Col.
Smith, rt. hn. T. B. C.
Smollett, A.
Spry, Sir S. T.
Stuart, H.
Sutton, hon. H. M.
Taylor, T. E.
Thornhill, G.
Tomline, G.
Trench, Sir F. W.
Trevor, hon. G. R.
Trollope, Sir J.
Yorke, hon. E. T.
Young, J.

TELLERS.
Mackenzie, T.
Fitzroy, H.

Debate adjourned.

House adjourned at four o'clock.

HOUSE OF LORDS,

Monday, May 15, 1843.

Minutes.] Bills. $2^{a.}$ Appeals, &c.; Privy Council. $3^{a.}$ Testimony in the Colonies.

Private.—$1^{a.}$ Northampton and Peterborough Railway. $2^{a.}$ Anderton Carrying Company; Faversham Navigation.

Reported.—Preston Waterworks; St. James's, Westminster Improvement.

$3^{a.}$ and passed:—Bourn Drainage.

Petitions Presented. By the Earl of Radnor, from Dorsetshire and five other places, for the Total and Immediate Repeal of the Corn-laws.—By Lord Beaumont, from Thirsk, against the Canada Corn Bill.—From the Western Division of Surrey, for a Fixed Duty on Corn.—By Earl Powis, and the Bishops of Gloucester, Norwich, and Winchester, from Montgomeryshire, the Clergy of Bucks., Gloucester, Andover, and Holt, from Llanwddyn, and the Society of Ancient Britons, against the Union of the Sees of St. Asaph and Bangor.—By the Marquess of Londonderry, from the Medical Men of Suffolk, and the North of England Medical Association, for Medical Reform.—From Portsea, against Church Rates.

CANADA CORN BILL.] Lord *Beaumont* in presenting a petition against the Canada Corn bill, took the opportunity of explaining a statement, which he had made on a former occasion, with respect to the Canada Corn Bill. He had then stated, that when they in Parliament were discussing the present Corn-law, they were ignorant that the Government had the intention of proposing a bill, such as it appeared they were now about to propose, with respect to corn coming from Canada. When he made such an assertion, he was met on the occasion by a counter assertion from the noble Duke, that the Government had, in proposing the Corn-bill, made known their intentions with regard to the present measure. Since then he had looked to the published reports of the speeches of every one of the ministers who had addressed either House of Parliament during the progress of that bill, and he could not find in any one of them a single line, a single sentence, which one of the utmost astuteness and greatest ingenuity could construe into an announcement that it was the intention of the Government to bring in a bill, by which, on the payment of 3*s.* fixed duty into the colonial treasury, American corn would be admitted into this country at a nominal duty, or it might be said quite free. There were many passages to be found in the speeches then delivered, as to a change in their colonial policy, as regarded duties imposed between the colonies and England, and between the colonies and adjacent foreign states, but nothing was said in any way to induce a person to anticipate the present measure. On the contrary, he found in a speech of the Vice-President of the Board of Trade, a principle laid down, which was in direct opposition to that which was now proposed to be acted upon. In one of the reported speeches of the Vice-president of the Board of Trade, he found this passage :—

> "The principle of the colonial laws, and a very just system he held it to be, was that where preferences were given to articles of colonial growth, the producing colonies should not be permitted to create a fictitious export trade, and so gain artificial profits at the expense of other colonies, by substituting foreign produce for their own. This was the case with the tropical productions of sugar and rum. The right hon. Gentleman himself applied a very stringent rule of this kind, with regard to rum, in the act of last year."

This principle was a fair and a just one, and it was directly the contrary of the principle of the intended Canada bill. After this, he considered that he was perfectly justified in asserting that Parliament was ignorant of the intentions of the Government as to a Canada Corn Bill, when passing the present Corn Bill, that which was called by a high authority a "contract" between the landowners and the present Government, and which could not be in fairness set aside, broken through or violated by one of the contracting parties without a distinct previous announcement of the intention to do, and ample time being allowed for the re-consideration of so serious a measure.

The Duke of *Wellington* said there was not one of their Lordships' regulations which was more wise and more worthy of being adhered to than that their Lordships should refrain from referring to former debates. He must remind them that what he said on a former occasion was that his right hon. Friend, the Member for Tamworth, did give notice of the intention of the Government to introduce a measure on the same principle as this as soon as a bill was passed by the Canadian legislature. He did not exactly recollect the precise terms that had been used. He admitted that it was not announced by him; but his noble Friend the President of the Board of Trade had made a similar statement in that House. He was not quite certain, but he thought some such measure had been distinctly announced.

Lord *Wharncliffe* was understood to say, that there had been an announcement by Sir Robert Peel and Lord Stanley of the intention to make an alteration as to the importation of corn from Canada, and it was deferred until the legislature of Canada had passed an act regulating the duty on corn. He might, also, add a few words as to what he had said on Thursday, in consequence of a question put to him by the noble Duke behind him, with respect to the intention of the Government to make an alteration in the Corn-laws. The next morning he was surprised to find that it was asserted he had used words which he had not used. He did not take notice of this, as he supposed some other papers would have set the matter right, as they usually did. This misrepresentation, he found, had not only been commented upon by other papers, but he found that his Colleagues had been taunted, not for what he had said, but for what he had not said. The question that had been asked him by the noble Duke behind him (the Duke of Buckingham) was whether the Government had any intention of making an alteration in the Corn-laws, when he declared that "the Government had no intention to make any alteration with respect to the Corn-law." He believed, these were the very words he had used. He thought he could appeal to noble Lords that that was what he said, or, at all events, that such was the meaning of what he did say; but the newspapers thought fit to add the words, "during the present Session"—that their Lordships must perceive made a very great difference. He had only now to repeat that which he had already said—that the Government had no intention of making any alteration in the Corn-law.

The Duke of *Buckingham:* Certainly the noble Lord never made use of the words, "this Session."

RAILWAYS — REPEAL AGITATION (IRELAND).] The Marquess of *Clanricarde* rose to move that the second report of the Railway Commissioners for Ireland be reprinted. He did not wish the maps and diagrams which accompanied the report to be reprinted, as that would put the country to a great expense, but merely the body of the report, which contained a great mass of information that might be understood without the accompanying maps and diagrams. He recommended their Lordships to peruse that report, which contained a great variety of statistical, geographical, and other information. He thought that the people of Ireland had a good right to complain that the system of employing them in public works which it recommended, and which had been begun, had not been carried out. The noble Earl who addressed their Lordships a few nights ago on the repeal of the Union, had, like many other persons, confounded two different things: the noble Earl had confounded the agitation for the repeal of the Union, which their Lordships had unanimously and justly condemned, and the feelings of the people at the conduct of the Imperial Parliament, which rather depended on repressing the expresion of opinion by measures of coercion, than on the measures of improvement which the Legislature and the Government had promised to adopt. Reference had been made the other evening to the joint Addresses of both Houses in 1834, and he would, with their Lordships' permission, read the concluding paragraph of that Address. The noble Marquess read the following passage:—

> "In expressing to your Majesty our resolution to maintain the Legislative Union inviolate, we humbly beg leave to assure your Majesty that we shall persevere in applying our best attention to the removal of all just causes of complaint, and to the promotion of all well-considered measures of improvement."

Subsequent to that Address, various works were commenced in Ireland, and great improvements, as their Lordships knew, had been made in the river Shannon; but he must say, without meaning it in an offensive or invidious sense, that since that time all public works had been suspended. The Government had not done wisely, was the conclusion to which the people came, in not giving a proper direction to public undertakings, and in not encouraging the formation in Ireland of at least a railway. That might have supplied an opportunity for benefitting some part of Ireland. He did not expect that the Government should, as a general rule, advance the public money to promote useful works, except with great caution; but there were some circumstances which required a modification of that principle. The Government should not encourage the formation of railways undertaken for the profit of speculators, unless they were likely to afford remuneration, which was the real test of the success of the railway, and that the country required it. There were some matters existing in Ireland which rendered capitalists unwilling to invest their money in works in Ireland, unless they received some assurance from the Government, and that was, he thought, a fair subject for inquiry. He asked why it was that capitalists were ready to send their money abroad, unless it was because they mistrusted the continuation of tranquillity in Ireland? He must also say that they did not receive that encouragement which foreign governments gave to the investment of capital on such works, and the result was, that above 1,000,000*l.* of English capital was now sunk in making railroads in France and in other parts of the continent. Capitalists preferred running the risk of employing their capital abroad to embarking it in works in Ireland. Government, if a speculation were a good one, might afford it encouragement in various indirect modes, and might give it assistance otherwise than by directly advancing money. There was a speculation for continuing a railroad through Wales, which would promote a rapid communication with Ireland. He understood that the saving to the Government by this road would be not less than 80,000*l.* a year; and he thought that money might be devoted to the repayment of any expense incurred in promoting improvement in Ireland. If the Government would take into its consideration the propriety of forming one main trunk of railway, they would find that the population and the number of towns in the south and the west of Ireland were sufficient to make it pay; at least there was good ground for believing that such a railway would be beneficial, were the Government to encourage its formation. When the Poor-law for Ireland was introduced into the other House of Parliament, it was said that it was the intention also to introduce measures to employ the population. Some works had certainly been carried on, but not enough. He would quote high authority to show that a Government should rely less on positive coercive laws than on the good feelings of the people: he would quote a passage from the speech of the right hon. Gentleman now at the head of the Government, which he delivered on the question of the repeal of the union in 1834. It was as follows:—

> "One more appeal, and only one, I will make to the House. It is to their feelings, perhaps, rather than to their cold unimpassioned judgment; but the foundations of society and of civil government are weak indeed, unless they repose upon the warm feelings of the heart as well as upon the dictates of sober reason."

The Government would only do its duty to the country by taking into its consideration measures to satisfy and employ the people of Ireland. He thought that if the report he had adverted to were reprinted, their Lordships might see that a railway might be executed in Ireland with advantage to the country, and with great benefit to those engaged in it. The noble Marquess concluded by submitting his motion.

The Earl of *Mountcashell* supported the motion, and thought that the reprinting of the report would be very useful. Wherever railways had been established, they had been of the greatest service to the country. They were progressing actively in France and Belgium, and other parts of the continent. He did not see why Ireland should not have those advantages extended to her. He could not help saying that if the Government did not give consideration to subjects of this kind, and show a desire to promote measures of such national importance, that that portion of the people of Ireland, who, he was sorry to say, showed such disaffection at the present moment, would be disposed to listen to those who came forward to say. that the Government of this country, did not care for the interests of the people of Ireland. He did not believe, that that was the case. He was sure, that if the Government took the matter up, capitalists would be found also who would be willing to take the matter up; and, he was sure, that the Irish people would come forward, and assist in such undertakings, according to their means. He trusted, that what had been said would not only direct the attention of the Government to the subject, but would also have the effect of directing the attention of capitalists to it also. Though the time was not most favourable, owing to the existence—which he much regretted—of agitation, yet he knew the character of the Irish people, and though no people were more easily excited, yet there were no people who sooner forgot that excitement. He hoped that the time was approaching when that excitement would disappear, and which would be the case if proper measures were taken. In the north of Ireland, railways were already in progress of construction, and he hoped before long to see railways undertaken in the south of Ireland, which, he believed, would be found most beneficial to that country.

Lord *Brougham* could not avoid expressing the grief with which he perceived that obstacles were continually interposed so that all the measures Parliament could take for the improvement of Ireland—for the improvement of her natural resources —and Providence had blessed her with a greater measure of natural advantages than all the other parts of the empire—he could not avoid expressing his grief, that all improvement of her natural resources were impeded by obstacles which now prevented, and, as long as they existed, would for ever prevent the flow of capital towards that country; whilst there was no want of capital here, but, on the contrary, capital was so abundant in this country, that it was bursting forth in all directions, seeking employment, and absolutely panting to find a vent—the immense masses in which it was accumulated having beat down the interest of money to 3½, 3, 2¾, and to 2½ per cent., indicating a great abundance of capital ready to be employed in improving the natural resources of Ireland—but the temptation was all in vain; in vain was our surplus capital seeking to burst forth at all the pores of the country; in vain were capitalists panting to find investments for their money—sending it to France and other places abroad; in vain were all the natural resources of Ireland, and vain all the measures taken by Parliament to improve them, as long as the present agitation continued. The state of Ireland was so alarming, that no calculating, prudent man, would risk his capital there; and, till the present agitation were put down, there could be no disposition to embark capital in any works in Ireland; and, therefore, he said, that those were the best friends of Ireland, who endeavoured to put an end to agitation, and encouraged the application of capital to improve her resources, and those who, by continuing political agitation, kept the capital so much required, from flowing into Ireland, were Ireland's worst enemies.

The Earl of *Wicklow* said, that nobody could be more anxious than he was to see public works carried on for the improvement of Ireland, but he did not wish to see any such works carried on unless they held out an assurance of remuneration to those engaged in them. But did not his noble Friend say, that if there were any such prospects, there would be companies willing to undertake those works? The noble Earl who had addressed the House said, that works of this kind were progressing in the north of Ireland, where they were conducted by the enterprise of private individuals; and why was this, but that capitalists saw that they could invest money in the north of Ireland, with some hopes of remuneration, which they did not see from similar investments in the south? Would any one say, that Government would be justified in calling on Parliament to grant money for the purpose of assisting in undertakings from which no remuneration was to be expected? He did not believe, that any Government, in the present state of that country, could call on Parliament for an advance of money to promote undertakings of that kind. He made this statement, that the poor of that country might be able to see what was their real interest, and that they might separate themselves from their *soi-disant* friends who were encouraging agitation for their own base and sordid purposes—men who well knew that the hopes that they held out were intended to delude, and that the expectations they raised, must end in disappointment. The people of that country were a shrewd and discerning people, and he hoped they would open their eyes, and would see the degradation and poverty which were caused by those who engaged them in agitation, under pretence of guiding them to better destinies. Those persons were the means not only of preventing the influx of British capital into Ireland, but they deprived the people of that country of the expenditure of their own natural protectors, the landlords of the country; which they did for the purpose of robbing the people of their miserable pittances, under the name of the O'Connell rent, and repeal rent, and other denominations of that kind. He was not sorry that the subject had been mentioned, because the public press would circulate the opinions that had been expressed by their Lordships, and he hoped that it would cause the people of Ireland to open their eyes to the wretchedness and degradation in which they were placed.

The Marquess of *Clanricarde* did not think, that his noble Friend had read the second report, as he assumed that the public works which he suggested, would not afford a remuneration. Now, he wanted the report to be in their Lordships' hands, for the purpose of showing, that on the contrary, a remuneration might be expected from some railways, and he believed, that the calculations of profit were understated. Since the time when the report was made, a great progress had been made in Ireland, and he believed, that at the present moment they might calculate the remuneration much higher than it was laid down in the report. The noble Lord opposite had assigned as a reason against undertakings of this kind, the existence of that agitation against which that House, and the other House of Parliament had, the other night, expressed so clear and unanimous an opinion, and in which he had been joined by his noble and learned Friend with so much eloquence. It was very true that that agitation was a reason why capitalists should not be inclined to embark their capital, but it was very different from the other reason alleged that these undertakings would not give remuneration. He did not wonder at the existence of those fears on the part of capitalists, though he very much regretted their existence. Those who knew Ireland well knew that those feelings were very much exaggerated, and that those fears, to a great extent, were groundless. He had conversed with many English capitalists—with men who had embarked money in speculations in Ireland, and he was sure that all of them would say, that the agitation in that country had not directly affected their speculations. They might, perhaps, have been injured indirectly by the existence of agitation, but they had not suffered directly. He lamented the agitation that existed as much as any one, but at the same time he was convinced that an outlay discreetly made in Ireland — with prudence and discretion, and a proper regard to economy—would amply repay those who made it.

The Marquess of *Londonderry* said, he was as anxious as the noble Marquess could be to promote the welfare of Ireland, but he did not think that the present was the moment when their Lordships should occupy themselves with such a measure as that proposed. Their first business should be to endeavour to find out the best mode of putting down the unfortunate agitation which now prevailed in that country, and which, judging from the course adopted by the individual, at the head of that agitation, seemed otherwise likely to continue. If the powers of the existing law were not sufficient for the purpose, it should be their business to pass such an act as would efficiently prevent those meetings of so dangerous a character, which were now taking place in Ireland.

Lord *Campbell* deeply deplored the agitation now prevalent in Ireland, and was as anxious as any man, in or out of the House, to continue intact the union between Great Britain and Ireland; and it was precisely for that reason that he now rose to express his opinion that the use of harsh language, or the adoption of harsh proceedings, would not be found such efficient means for putting an end to that agitation, as kindly and temperate remonstrances, an appeal to the reason of the Irish people, and a beneficial and practical course of conciliation. In his view of the matter, harsh language and harsh proceedings would but make matters worse.

The Earl of *Devon* had no apprehension that any unconstitutional means would be had recourse to for putting an end to the unhappy agitation referred to: the powers of the constitution would be found amply sufficient for the purpose. The noble Marquess near him had said this was not the proper time for proposing public works for Ireland. Now, he was not going to enter into the general question of the policy of advancing the public money for the furtherance of these works; but he would venture to say, and he thought every nobleman in the House, except the noble Marquess, would agree with him, that the finding employment for the rural population of Ireland would do more to put down theprevalent agitation than any other single measure that could be adopted. The working men of Ireland would much rather be occupied in earning a livelihood for themselves and their families, than be assisting in the agitation which still further distressed and impoverished them.

The Marquess of *Londonderry* thought, that Ireland required the strong arm of the law to keep it tranquil. As to conciliation, he certainly thought that Parliament could not be charged with a deficiency in this respect. For the last two years, every attempt had been made at conciliation; their Lordships saw with what effect. No means of employment would detach the organization that was now being established. He did not think that Ireland could, be tranquillized, unless they had recourse to more determined measures.

Lord *Brougham* said, his noble and learned Friend complained of the use of hard language. Was it harsh language to say, that the men who made Ireland unlike any other country on the face of God's earth, at this moment, for agitation, for excitement, for everything short of, he might almost say, rebellion—to say, that these men were—he had used no harsh language about them, he had made use of no epithets, but he had ventured moderately to state his opinions that these persons were the enemies of the country in which they prevented English capital, from being employed, of the country which they had placed in an unheard of condition. Their Lordships were not to use "harsh language;" were not to say that those who placed Ireland in such a condition that she could hardly be in a worse, were the enemies of Ireland; but their Lordships were to be held up—held up collectively and individually, as parties—his noble and learned Friend among them—as the bitterest enemies of Ireland. True, his noble and learned Friend had not as yet been vituperated like some other noble Lords, by name; he had not as yet arrived at that distinction; but other noble Lords had been named, and the noble and learned Lord himself, unless he rejected the title of Whig, must admit himself to be included among those who had been held up to public execration, on the other side of the water, as "the paltry Whig faction—the constant enemies of Ireland." The way in which they had proved themselves "the constant enemies of Ireland" was just by remaining out of office, with Earl Grey at their head, for a quarter of a century, for this sole reason—that they would not accept office while they were refused Roman Catholic emancipation. Such had been Earl Grey's manifestation of "constant, inveterate hatred of Ireland, dictated," it was added—"by sordid views of his own interest"—his own interest having been obviously eminently promoted by remaining out of office for twenty-five years, on the sole account of Ireland. He was anxious to relieve himself from the imputation that he thought of recommending unconstitutional remedies for this great disease. It must be met by constitutional remedies. The experience of all ages and of all free nations taught them that the more the constitution of a country was assailed, the more hostility it met with from any given quarter, the more incumbent was it upon those who held the reins of Government, and upon the Legislature, to stand by the principles of the constitution, and only to apply constitutional remedies to the evils which afflicted, or the dangers which threatened the community. He held it to be the most constitutional of all acts to prevent the breach of the public peace, by all the means which the law placed at the disposal of the Crown; and he held it to be the duty of the constitutional sovevereign of this county to exercise those powers, in order to prevent the severance of the empire, and the breach of the public peace, to stay discontent ere it blazed forth as rebellion; and he held those answerable for that rebellion who, being armed with the powers of the constitution, did not duly exercise those powers when the occasion demanded it. If the existing powers were not sufficient, new powers must be given, but powers always of a strictly constitutional character; nor must these be demanded, unless the Government showed that the means already at their disposal were not sufficient. Was it an unconstitutional measure to strike a magistrate from the commission of the peace who should so far forget his duty as to attend and lend his sanction to a meeting called for the purpose of promoting an agitation such as that in question. Lord Plunket did not think it was, for he struck Mr. Butler out of the list of deputy-lieutenants, for attending such meetings. If magistrates chose to attend, let them give up their office. His noble and learned Friend talked of appeals to reason; reason would have but very little weight against passion, in an assembly of 30,000 or 40,000 people. No! not when he looked at these immense assemblages, and the manner in which they were got together; he was convinced that they were summoned not for discussion, or to hear reason, but for these three main objects among others—to create a feeling of uneasiness and apprehension throughout the country at large; to alarm the landlords in particular; and so to intimidate peaceable people by these tumultuous meetings and violent speeches, as to make it seem, and be perilous for honest and loyal men to do their duty by keeping the peace and discountenancing agitation. And, in fact, it had become perilous in that country for a man to hold back, whatever his opinions might be; if he did hold back, from that moment he was a marked man, held up to general scorn, hatred, and vengeance. But it was said, that the leaders of this agitation were themselves men, whose interest it would be to keep the people from going beyond a certain point; that though some of them might be induced from commercial views, others from vanity and a sort of ambition, to get up this agitation, and place themselves at its head, yet that their own interest would teach them not to let their followers go too far; but these gentlemen, it might be, overrated their power over the people when they talked of stopping them short at any point they chose to select. It would be to very little purpose, after a man had thrown a barrel of gunpowder on the fire, to say "don't go off." He was no alarmist, but this he would say, that he had heard alarm expressed at the present agitation by persons who had been the advocates of repeal—the most forward advocates, and great agitators themselves. These ex-agitators felt alarm at the present state of Ireland, which was not confined, therefore, to the enemies of repeal, who had never polluted themselves with such courses. Whilst men were men, and capital was capital, no money would flow into Ireland till an end was put to the agitation now existing there.

The Duke of *Wellington* should not have thought it necessary to address their Lordships beyond expressing the mere intimation of his assent to the motion, had it not been for the turn which the discussion had taken, and which rendered it incumbent on him to say a few words. He had drawn their Lordships' attention a few nights back to the joint address of the two Houses of Parliament upon the subject at the union; and he was obliged to the noble Marquess for having directed their Lordships' attention more particularly to the latter words of that address. He was delighted that the noble Marquess had drawn their attention to those words, and he begged leave to state, that he was convinced, and he felt it strongly at the time the noble Marquess was reading the extract—he was convinced that Parliament had acted in full conformity with the assurances then given to his Majesty on the throne; and he would add, that those persons who were now honoured with her Majesty's confidence, at the same time that they intended to carry into execution that part of the address, were firmly determined also to carry into execution the other part of the address referred to, whenever the occasion arose. As to the remarks which were made upon their Lordships elsewhere, he was one of those animadverted upon, and he was glad to find himself upon this occasion in such extremely good company. For himself, he could only say that he had been for a very great number of years in the habit of treating such criticisms and such assaults with the smallest possible attention, for he should continue to do his duty to the best of his ability, in the service of his Sovereign, or elsewhere, and continue to treat the language referred to with as little attention as heretofore; and he recommended noble Lords on both sides of the House to follow his example in this respect.

Lord *Campbell*, in explanation, said, he retained his opinion as to the impolicy of harsh language being used in this matter. He begged to assure his noble and learned Friend that it was and ever would be his pride to rank himself among the Whig party. He did not altogether know whether his noble and learned Friend wished to be understood as also still belonging to that party—sometimes it would almost appear not; but he would, at all events, advise his noble and learned Friend, however great his talents might be in other respects, not to attempt to vie in invective with the individual so much referred to, for, although his noble and learned Friend's powers in that particular were by no means limited, he might find himself worsted.

Motion agreed to.

House adjourned.

HOUSE OF COMMONS,

Monday, *May* 15, 1843.

MINUTES.] BILLS. *Public.*—1°· Roman Catholic Oaths.

Private.—2°· Deptford Poor and Improvement; Yarmouth and Norwich Railway and Drainage; Eglioysrhos, etc. Inclosure; North Este Reservoir.

Reported.—Merthyr Tydvil Stipendiary Magistrates, Borrowstounness Harbour and Improvement; Glasgow and Three Mile House Road; Belfast Harbour.

PETITIONS PRESENTED. · By Messrs. Strutt, C. Berkeley, Gisborne, Cobden, Hindley, B. Wood, and Dr. Bowring, from a great number of places, for the Total and Immediate Repeal of all Corn and Provision Laws.—By Lord Dungannon, Colonel Wyndham, Major Cumming Bruce, and Messrs. Cartwright and Blackstone, from Seventeen places, against the Canada Corn Bill.—By Messrs. Evans, Round, M. Phillips, G. Craig, Duncan, Hawes, T. Duncombe, Hindley, Lambton, H. Milnes, Wilshere, and Colonel Rolleston, from a great number of places, against the Factories Bill.—By Mr. Sergeant Murphy, from Cork, Ballinasloe, Westport, and Carlow, against Transferring the Mail Coach Contract to Scotland.—By Mr. Thesiger, from John Locke and others, against the County Courts Bill.—By Mr. D. Barclay, from Cupar and Sunderland, for Post-office Reform, and the Carrying out of Mr. Hill's Plan.—From Wrexham Union, for Amending the Poor-Law Act.—From Sunderland and Yarmouth, against Bankruptcy Act.—From Bolton, against the Justices Jurisdiction Act.—From Leeds, for Exempting Literary and Scientific Institutions from the Payment of Rates and Taxes.—From Two Individuals, against the Metropolitan Buildings Bill.—From Liverpool, for Inquiry into the Management of the Trial for Sedition of William Jones.

REPEAL OF THE UNION.] Mr. *Redington* seeing the right hon. Baronet at the head of the Government in his place, wished to ask him two questions. On Tuesday last, in reply to a question put to him by the noble Lord the Member for Lynn Regis, the right hon. Gentleman repeated to the House a declaration of the ruling Sovereign, in the year 1834, with respect to the Union, in which it was stated :—

> "This bond of our national strength and safety I have already declared my fixed and unalterable resolution, under the blessing of Divine Providence, to maintain, inviolate, by all the means in my power."

The right hon. Baronet had informed the House, that that declaration contained the expressions of King William in 1834, and that he was authorised by her Majesty to repeat that declaration of King William. Now, inasmuch as that declaration, made in reply to a joint address of both Houses of Parliament against repeal, contained a passage which gave some consolation to many of the Irish people, and which ran thus :—

> "I shall at all times be anxious to afford my best assistance in removing all just causes of complaint, and in sanctioning all well considered measures of improvement."

But which passage was not repeated by the right hon. Baronet, he wished to know (not being a repealer), in the first place, whether the right hon. Gentleman was authorised by her Majesty also to repeat to the House that further declaration of King William in answer to the joint address of both Houses; and, secondly, whether Government intended to introduce any measures for the removal of "those just causes of complaint" other than the two bills at present in the Books of the House.

Sir *R. Peel*: The declaration which I made upon Tuesday last, was in reference to an express question put to me by the noble Lord behind me. The hon. Gentleman asks me whether I am authorised to make a corresponding declaration to that made by the late King, with reference to the particular matter to which the hon. Gentleman has called the attention of the House. I presume upon the accuracy of the hon. Gentleman as to the words which I quoted, being from the answer returned by King William to the joint address, I thought that these words formed a passage, which by my advice had been inserted in the speech from the Throne in 1835.

Mr. *Redington* said, that he had taken the passage with reference to the "just causes of complaint," from the answer to the address as read by the Lord Chancellor in the House of Lords.

Sir *Robert Peel*: The words which I used, were given to me as the answer returned by the King to the joint address of Parliament, and which ran as follows:

> "It is with the greatest satisfaction that I have received this solemn and united expression of the determination of both Houses of Parliament, to maintain, inviolate, the Legislative union between Great Britain and Ireland."

It was added,

> "I shall, at all times, be most anxious to afford my best assistance in removing all just causes of complaint, and in sanctioning all well considered measures of improvement."

But I will not quarrel with the hon. Gentleman as to the precise words of the royal answer, because whether his version or mine be correct, I am authorized on the part of her Majesty, to announce her adherence to that declaration of King William. With respect to any measures to be introduced, with reference to Ireland, it has been the wish of Government to conduct the executive administration of Ireland, in a spirit of forbearance, moderation, impartiality, and justice. So much for the spirit in which it is our wish to carry on the administration of affairs in Ireland. With respect to our intentions as to new Legislative measures, such a variety of opinions exists as to the probable effect of any new measures, that it is very difficult for me to say beforehand, what measures shall, or shall not, be introduced. In the case of municipal corporations, measures have been introduced to make the provisions of the former bill accord with the intention of the Legislature, and a measure has also been brought in to amend the Irish Poor-law Act; but there are so many, and such various opinions, as to the effect of these measures, that I cannot undertake to say whether they come within the category of "acts to take away the grounds of complaint." All I can say is, that there exists the strongest desire, on the part of the Government, that both the executive and the administration should do nothing inconsistent with the just rights of the Irish people.

Lord *Clements*: I wish to ask the right hon. Baronet under what head of measures for the amelioration of Ireland does the right hon. Gentleman class the Arms Bill.

Sir *R. Peel*: Sir, I consider that measure calculated to preserve the personal safety of those who reside in Ireland, and to prevent the commission of such terrible crimes as have taken place within the last two years, and therefore calculated to improve the condition of that country.

Abolition of the Corn-Laws—Adjourned Debate.] The Order of the Day for resuming the adjourned debate on the Corn-laws having been read,

Mr. *W. O. Stanley* said, it would be necessary for him, in the first place, to say a few words with regard to the part he took on Saturday morning. He was sorry that a large portion of the House differed from him with regard to the propriety of adjourning the debate till this day, as several Members had not an opportunity of expressing their opinions and feelings on a question of such great and mighty importance as the Corn-laws. He felt the question had not, during the four nights it was before the House, been fully debated, and he was surprised that so few of those connected with the great agricultural interests of Great Britain had expressed their opinions upon it. He was himself one of those who thought that agriculture was entitled to protection, and that peculiar burthens were imposed upon the land, but he thought that a fixed duty was preferable to a sliding-scale. It was evident that Gentlemen on the other side were not convinced that the right hon. Baronet did not contemplate a further change in the Corn-laws, should expediency require it. They looked upon the proceedings of the right hon. Baronet with suspicion. With respect to the Corn-laws themselves, he was bound to say, that representing an agricultural county, the prosperity of which depended upon agricultural produce, he believed that the present low prices—which were lower than at any other period since the year 1822—were owing not merely to the Corn-laws, but to the distressed condition of the operatives, who were not able to purchase food, from the restrictions which shackled the commerce of the country. So long as the Corn-laws were allowed to remain in their present state, there could be little hope of the revival of trade. He feared that as long as the sliding-scale continued in operation they would be obliged to purchase whatever food they might require from abroad by exporting bullion instead of paying for it in manufactures. He was not in the habit of trespassing upon the House, but he felt it important to explain his sentiments on this important question, because, although he felt obliged to vote against the motion of the hon. Member for Wolverhampton, he was by no means satisfied with the present system. He likewise felt, that at the present moment it was most important to put a stop to the agitation existing on this subject. When they saw the threatening attitude which Ireland had assumed, it was more than ever necessary that the Government should possess the confidence of the people of this country. He wished to make one observation on the subject of his having moved the adjournment of the debate on Friday. It had been supposed by a great many that on that occasion he had been acting in conjunction with other hon. Members. He could assure the House, that such had not been the case. He had moved the adjournment because he thought that a sufficient opportunity had not been afforded to Members, more particularly to those connected with the agricultural districts, of expressing their opinions on the subject. He thought, that a full opportunity ought to be afforded to every hon. Member of expressing his opinion.

Dr. *Bowring* said, he could not but think that the friends of free-trade had great reason for congratulating themselves on the progress of that debate. When the right hon. Gentleman, the Vice-President of the Board of Trade, was put forward as the representative of the Government, and to give a character to the discussion, he (Dr. Bowring) certainly did expect from the right hon. Gentleman—from his great intelligence, and from his high position—the House would have been enabled to discern the course meant to be taken with respect to this question. But the views of the Government, however clear in principle, were clouded in practice. What they had a right to calculate on from the right hon. Gentleman, was the production of some reason why one—the most important of all important articles—was to be excluded from the application of that great principle which the House had often heard from the lips of the right hon. Baronet opposite—the principle that individuals as well as nations had a right to buy in the cheapest markets, and to sell in the dearest. It did appear to him perfectly clear, that with regard to the article of corn, which was the subsistence of the multitude, that this, if anything, was above all entitled to the application of that principle which the right hon. Baronet himself had not unfrequently recognised. He had heard with great pleasure the honest and manly observations of the hon. Member for Argyleshire, when he stated that the principle of free-trade was essentially a sound and right principle. The hon. Member for Sussex said,

> "Do not carry out the principle of free-trade, for you do not know the consequences it may lead to."

Admit corn, he said, and no one knew what other things would not follow. Why, what could follow but a greater trade in other articles as well as a greater trade in corn? And be it understood that the free-traders were for supporting no exceptions, —for recognising no monopolies. They were willing to be measured by the measures they meted to others, and desired to ask nothing they were not ready to grant. The right hon. Baronet at the head of her Majesty's Government, in the appeal he made on Saturday morning to the House, took other ground. He was alarmed at disturbing the colonial and fiscal interests of this country. But those interests—and all interests ought to be made subservient to the greater interests of truth and justice. And in the long run, it would be found that the Treasury and the colonies would benefit from the general extension of trade. He had heard, again and again, from the other side, that there were countries in which the price of wheat was exceedingly low. There could be no doubt that such was the fact—and if the fact, an enormous wrong was done to the English consumer, by preventing his access to those markets. Many of them were, however, remote and inaccessible, and that which concerned the people of this country was, to inquire the price of corn in those places where there was a ready transit. If the ports of this country were thrown open to all the productions of the world, no one could doubt that it would lead to the best results. There was no other means of relieving the distress of the country than that which, from his strength and his honesty, the right hon. Baronet might be expected to adopt after the principles which he had put forward. There were only two doctrines which were maintainable, and the right hon. Baronet could not continue long vibrating between them. He must either contend that a measure should be passed to give monopoly prices to producers, or he must stand by the consumers, emancipate labour and capital, and give to the country all to which it was entitled. The right hon. Baronet had gone too far to recede. He had proclaimed truths which had enlightened every mind in the country, and he could not resist, nor ought he to resist, the pressure from without. He believed, that if at that moment an appeal was made to public opinion out of doors, the right hon. Baronet's majority would escape him. The longer the settlement of this question was delayed, the more likely was it to mingle itself with others, aye, and with questions even more alarming than this to the aristocratic section of the community. Had the attention of the right hon. Baronet been called to a very remarkable passage of a very remarkable writer, whose tendency was doubtless towards Conservatism? Mr. Carlyle said—

> "If I were the Conservative party of England, I would not for 100,000*l*. an hour allow those Corn-laws to continue. Potosi and Golconda put together would not purchase my assent to them. Do you count what treasuries of bitter indignation they are laying up for you in every just English heart? Do you know what questions, not as to corn prices and sliding-scales alone, they are forcing every reflective Englishman to ask himself? Questions insoluble, or hitherto unsolved; deeper than any of our logic plummets hitherto will sound; questions deep enough—which it were better that we did not name even in thought! You are forcing us to think of them, to begin uttering them. The utterance of them is begun; and where will it be ended, think you? When two millions of one's brother-men sit in workhouses, and five millions, as is insolently said, 'rejoice in potatoes,' there are various things that must be begun, let them end where they can."

Now he was convinced that there were real grounds for alarm. There was mingled with the demand for commercial freedom an almost universal political discontent; and many of those who really had hoped that the Parliament, as at present constituted, would lend a willing ear to the plaints of the people, were beginning to despond, and to believe that nothing but a change in the institutions of the country, would put an end to those monstrous evils. He could not explain how such commercial influence and political power as this country unquestionably possessed should consent to give such bad examples to the rest of the world. Why, lately, by our especial influence, we had caused a treaty to be adopted at Constantinople, by which the duty on exports was fixed at twelve per cent., and upon imports at five. He thought, therefore, that the tariff of Turkey was even better than ours, because, instead of encouraging imports, we repelled them from all parts of the world—as if it were not as notorious as the sun at noon day that we could export nothing profitably without receiving its equivalent, and more than its equivalent in imports. So that our course was clear, invite imports—exports must follow. It had been said, that agriculture was improving under the protection of the present law. He would admit that there had been an improvement in agriculture, but he denied that there had been an improvement proportioned to the increased intelligence of the country. If agriculture had not advanced with the general progress of civilisation and knowledge—if the same improvements had not been made in farms which had been in manufactures—why should the present state of things be suffered te continue? Burthened as the country was—almost trodden down by its burthens, it was incomprehensible to him how they could suffer the continuance of the burthen which bore heavier than all the rest, and which was removable at the mandate of Parliament. When the agriculturists had it all their own way, he was not surprised at the character of their legislation, but now that the commercial and manufacturing interest were become strong, and that greater knowledge existed with regard to political economy, how could they continue the monopoly and usurpations of ancient times? What would the people say, but that they did so for their own selfish interests, and not for the public good? The right hon. Baronet at the head of the Government had discoursed upon the principles of political economy as if he had occupied a professor's chair. He had listened with delight to the right hon. Baronet's expositions of the doctrines of political economy; but surely these principles, so sound in theory, ought to be put in practice. Now their legislation was all discord—it was founded in discord—it represented the scrambling of dishonest interests. Their legislation affected the well-being of 26,000,000 of people, and it ought to be founded on the principles of sound sense—on those principles which were sound, unshakeable, and eternal. Let them consider the state of the public mind out of doors. The present state of things could not endure long—the question would come back again and again. There was no hon. Member who was not compelled to acknowledge the effects produced by the efforts of the Anti-Corn-law League, the power of which was derived from its being the representative of a public grievance. That body would increase in strength so long as this grievance should exist. Their only means of action and agitation consisted in the power of being able to tell the miserable man that there were means of making him happy—the feeble man, that there were means of making him strong—the poverty-stricken man, that there were means of making him rich. These were the arguments brought forward by the Anti-Corn-law League, and so demonstrable were they, that in no public meeting would any hon. Gentleman on the other side of the House venture to come forward to controvert them.

Mr. *Ewart* said, he could not but regret that this question had been treated as a question between two classes; not, like what it was, as a great national question. It was not a question if the privileges, however long existing, of the landed interest were to be maintained because of the burthens or condition of that class; but whether by the change proposed, the whole nation would be benefited. This was the view taken out of the House, whatever might be the view taken within its walls. In fact, it was without the House, not within, that the question was really debated; and it was without the House that the question could be virtually, however, it might not be nominally, settled. He complained of the mode in which the question had been treated; he complained of the errors in fact, and in argument on the other side. They were, he repeated, mis-statements of facts, and fallacies in argument. Mis-statements of fact, because, in the first place, it was averred, and that too by the right hon. Gentleman (Mr. Gladstone) that the advocates of free-trade aimed at "wild prospects of universal good." On the contrary (said Mr. Ewart) they aimed at a steady and firm system of commerce. It was no visionary object, but solid, practical, steady trade. This could only be obtained by a final settlement of the question before them. Then came mis-statement the second. This, too, from the right hon. Gentleman. They were told that the speculation and gambling fostered by the old Corn-laws had been extinguished, or greatly reduced, by the new one. Against this asseveration of words, he would advance an answer of fact. Let the right hon. Gentleman consult those commercial records of the corn trade, the circulars of Hamburg. He (Mr. Ewart) had with him extracts from two of them; that of Messrs. Afrens and Saltmann, and that of M. Bichel of Hamburg. What did they state? They did not indeed deny the influence of the change of weather in producing the dreadful losses in the corn trade last year; but they most distinctly added that the aggravating cause of speculation and of loss was the English sliding-scale. This, they stated, was the cause which, combining low duty with high price, tempted them to wait. Nature has made the supply of corn uncertain. Your laws increase the uncertainty of nature. Here, therefore, was practical evidence against assertion. And next, as to fallacies in argument. It had been said, —and that, too, by the right hon. Gentleman—that by the repeal of the Corn-laws, "land would be thrown out of cultivation." This expression had been duly qualified to mean, that it would be changed as to its mode of cultivation. It was not, then, a destruction, but only a change. Nor was it a change affecting the whole landed interest but only a part of it. The real question was, whether the repeal of the Corn-laws was necessary for the nation at large, and not whether it was unfavourable to a part of a particular interest in the nation. This was the question in every change which affected a class. Did they pause in admitting changes in machinery because a class, like unfortunately the handloom weavers, might suffer from the progression of manufactures? No; the change was deemed advantageous for the nation. Partial interests were, therefore, disregarded. So it must be in the case of the Corn-laws. The question was not, whether the cultivation of certain lands might be injured, but whether the measure proposed would benefit the nation at large. Next came another fallacy. It was said corn is cheap, yet there is great distress; therefore, altering the Corn-laws would be useless. But, what they wanted, was not the low price of corn, but the means of purchasing corn; not cheapness, but employment. What was the use of reducing the price of an article which the people could not buy? Corn might be low, yet the people wretched. Where was corn lower than in Poland? Where was the people less able to consume it? The fact was, it mattered little whether prices were high or low, if the people, being fully employed, were able to pay them. But of all the fallacies he had heard, the worst was that uttered by the hon. Member for Newcastle (Mr. Colquhoun)—should he call it a fallacy, or the omission of a legitimate inference? That hon. Member said, "In no country has agriculture made such advances as in England." And he spoke truly. But he cautiously forbore to state the cause why it had advanced so pre-eminently in England. It was, because of the commerce of England—and the question now before the House was, whether we should feed or exhaust the sources of the agricultural pre-eminence of England, its trade and manufactures? The right hon. Baronet (Sir R. Peel) indeed added to all these, as he (Mr. Ewart) must deem them errors of reasoning, this remarkable condition; that they were to wait till all protecting duties could be abolished at once. Were they so to wait? or was the great fundamental error in legislation to be removed, and the smaller delusions to follow it? The nation, in his opinion, would not be satisfied to wait for this tardy system of reform. But he turned from these fallacies in argument to the state of the question before them. What was the commercial character of the times in which we lived? The times were gone when we could maintain our commercial superiority by amount of price. It must be maintained by extent of market. That country would be most successful which could, first, extend its markets most, and next, in each market, supply the greatest mass of consumers. To do both these was the peculiar capability of this country. Capital, coal, iron, mechanical habits, almost mechanical minds, were ours—all combined to enable us to supply manufactures more cheaply than other nations; one only element of doing so was wanting, cheap food. Yet this our legislators denied us; and denied us at a time when they had made favourable concessions to our opponents. We now allowed the free export of our machinery. Rightly in principle; but favourably to the competition of foreigners. And what had foreign nations done in their fiscal changes? Allusion had been already made to the unfavourable amount of the duties imposed by them. But there was an impediment on our commerce in their mode of imposing foreign duties. England's strength lay in supplying the cheap article. Continental nations had recently introduced the system of levying duties on the weight of the article, not its value. Consequently the lowest priced article paid as much as the highest priced article. This was a heavy additional burthen (justly pointed out in a recent work by Mr. Bischoff, of Leeds) on the English manufacturer. Such was our condition; such our reasons (at this particular crisis) for demanding a repeal of the Corn-laws. What hopes had the right hon. Baronet given us? He gave us the tariff. But he now owns that it was not the cause of doing any good by lowering prices; or rather, he told the farmer it was not the cause, and the merchant that it was. It was, therefore, at least ambiguous whether the tariff had done anything for them. In commercial treaties had the right hon. Baronet done anything? Unfortunately, nothing. Why, then, did he not put in practice his own avowal, and buy in the cheapest market and sell in the dearest, without regard to commercial treaties? Yes; there remained a third remedy. It was the famous Canada Corn Bill. In his opinion this was a complete delusion. Nay, it was a delusion practised on Canada as well as England. Whom was it to benefit? What we really wanted was a corn trade with America. Did it give us this? No. It was based upon the exclusion of American corn by way of Canada. Was it a help to the Canadians? No; for its avowed character was to leave the British farmer in fully as good a condition as it found him in. Yet it was stated to be a measure for the good of Canada. If so, the Canadian could build mills, invest money, become, in fact, a British miller—or a transatlantic British miller. Vain hope! The day must inevitably come when the corn trade must be opened. Then would vanish all this artificial fabric. The Canadian would be undeceived, but undeceived at the cost of fruitless investments and enormous losses. So much for these remedies. What other remained? Hope—at the bottom of the box, when all else had fled out of it—the hope that prosperity would, of itself, return. Happy credulity! happier, if not defeated! It was indeed, possible, he would admit, that the reviving demand of foreign nations might restore to us a temporary prosperity—but it would be evanescent, and unsteady—while steadiness and permanency were our real objects. We might see a calm diffused around the vessel of the state, but its course would be one of uncertainty and danger,—

> "In painted pomp the gilded vessel goes,
> Uncertain of the whirlwind's sweepy sway"—

which, at any time, might overtake and overwhelm it. The nation was beginning to understand the difference between real, solid, lasting, and unreal, fleeting, and unsubstantial prosperity. The Anti-Corn-law League had taught them the philosophy of the question. Even the farmers were beginning to awake. They perceived that they had been doubly deluded: first, by the state; and secondly, by their landlords. They perceived, and justly, that they must act for themselves. The whole tide of opinion was changing, except in two solitary creeks, or inlets, and one of them was the House of Commons. Here, indeed, the backwater still prevailed. Amidst such a revolution of opinion, ought not the right hon. Baronet to have come forward and long since openly expressed his own? How much more open, sincere, and lastingly beneficial to himself to have done so. The right hon. Baronet was about to find this question the Catholic question of commerce. The farmers would tell him what the Protestants had told him of yore. The Anti-Corn-law League had opposed the farmers. Yet they were now turning from the right hon. Baronet to the League. They practically applied to the League the two first lines, and to the right hon. Baronet the two succeeding lines of the well-known satire of Mr. Canning—

> "Give me the erect, the firm, the manly foe;
> Calm I may meet, perhaps avert the blow;
> But, of all curses angry Heaven can send,
> Save, save, O save me, from the candid friend!"

The right hon. Gentleman had, indeed, candidly told them that he could pledge himself to nothing. Much as he was rejoiced to see the right hon. Baronet become a repealer, he should have been better pleased to see him become so in a more open and bolder manner. Expediency was a tribute to necessity—consistency a tribute to truth. The right hon.

Baronet must change his course; why not avow it now? If he did not he would establish a sort of free-trade, or rather contrabandism of opinion; and he would finally have done as much as any living man to erase the minor virtue of consistency from the code of political morality.

Mr. *Childers* said, that in the present state of the country he did not think the Corn-laws could be with safety repealed. At the same time, he thought that when the laws were repealed the measure would very much disappoint the expectations both of its opponents and its supporters. Prices would not be altered by a system of free-trade to anything like the extent that some people supposed: foreign corn would assimilate itself in price to English corn, rather than English to foreign. In this opinion he was strengthened by the manner in which he saw the prices of corn in Jersey follow the prices in London; and yet in Jersey there existed a perfect free-trade in corn. At the same time, he must maintain that the sliding-scale had completely failed in its object, and could not long be maintained. The measure of last year might struggle through this Session, but it could not exist much longer.

Captain *Layard* said, that the last time this measure had been brought forward by the hon. Member for Wolverhampton, he had not given it his support, neither had he voted against it, believing, as he then did, that a fixed duty would be more beneficial to the country; and that by a small fixed duty the revenue might be improved, trade and manufacture benefited, and some protection given to the agriculturist interest. Another reason he had for not then voting in favour of this measure was, that he believed the alteration in the Corn-law brought forward by the right hon. Baronet would give great dissatisfaction to the agricultural interest, and would prove to that body the uncertain support which Government was likely to afford; and that such being the case, it would oblige the right hon. Baronet to bring forward a small fixed duty; and by this compromise to allay the feverish anxiety which now pervaded the country. In the first part of that supposition he believed he had been correct. If any hon. Gentleman denied that to be the fact, and denied that the farmers were greatly discontented; if they were not convinced by the meetings that had taken place throughout the country, he felt that the speech made by the hon. Member for Wallingford (a speech that did that hon. Member great credit for its boldness and its truth), must have convinced them of the fact, however an unpleasing one, and must have convinced the Government that, though they might have been brought in on the tide—the flood-tide of agricultural opinion—yet, by the vacillating and uncertain course which they pursued, that that tide might be quickly on the ebb. The hon. Member for Wallingford said most truly that the farmers dare not trust those they had before trusted. Look at the election for East Suffolk. What did they do there? They made the noble Lord whom they had returned, pledge himself to vote against the Canadian Corn Bill. In that instance the noble Lord, the Secretary for the Colonies, had again sown the serpent's teeth, and he would find the agricultural Members rise as a body of armed men to oppose the bill. He had no doubt, that shortly the Government would find, particularly on the Canadian corn question, that those who had been their firmest supporters, might become their bitterest opponents. Upon the present Ministry coming into office, many had been deceived by the unfounded opinion that a brighter day was about to dawn on the fortunes of this country, and that those who had found such fault with the late Government, particularly with their financial arrangements, had found out some good measure which would counteract the baneful effects of which they complained. What are the measures, and how have they answered? An alteration in the Corn-law, by which little or no good was done to a suffering and patient people; while the agricultural interests were shaken to the foundation from the uncertainty that hung over them, and as the farmers expressed it, they sowed, not knowing who might reap. Next came the Income-tax, where a sliding-scale might have been used with advantage,—a tax which, from its inquisitorial character alone, would make it in a commercial country most unpopular; and which, from the different kinds of property, all taxed in the same way, made it most unjust. Examine the trade of London. Ask any of the shopkeepers were ever times so adverse to their prosperity? And what did they lay it to but this baneful tax? A more melancholy statement than that made by the Chancellor of the Exchequer in bringing forward his budget, he had never witnessed; and as the noble Lord, the Member for Sunderland, said, what was brought in last Session by the right hon. Baronet at the head of her Majesty's Government with a flourish of trumpets, was this year, by a change of performers, carried out with an humble voice, and far from any flourish at all, leaving a debt of two millions and a half as a deficiency. Still there was hardly anything so bad, that some good might not be learnt from it, and we learn this even from the miserable budget of the Chancellor of the Exchequer, the nearer he had approached free-trade, as in coffee and timber, the better he had succeeded. The further he had receded from it, as was the case in coals and whisky the more, had he been mistaken in his calculations. The hon. Member for Somersetshire said, that the main spring of all action, both private and public, was self-interest. He wished to know if such was the case, if any fair and unprejudiced man could say, that agricultural gentlemen were a fair jury upon such a question. Upon the very face of it they were not. See the difference of the land-tax in France, and in this country, why the land-tax in France, allowing for the different size of the country, has above five times what it has here. The hon. Member for Newcastle had said, how much better it would be not to use harsh language. He agreed with that hon. Member; but that hon. Member ought to remember it was much easier for those who reaped all the advantage, to preserve equanimity, from those who were themselves suffering, or representing those who were suffering, from misery and distress. For his part, he thought the present law oppressive and unjust. He could not bear that those lines of Burns should be applicable to him.

> "See yonder poor o'erlaboured wight
> So abject, mean, and vile,
> Who begs his brother of the earth,
> To give him leave to toil;
> And see his lordly brother worm,
> The poor petition scorn;
> Unmindful, though a weeping wife,
> And helpless children mourn."

He wished that the right hon. Baronet would no longer think it necessary to stand by men who had avowed, if they could help it, they would no longer stand by him. He appealed to the hon. Members for Wallingford and for Bridport, if, at the dinner which had taken place at Wallingford, the cry had not been, turn out the right hon. Baronet; and if the answer was not, we wish our power was equal to our will. If any Gentleman in that House brought forward a small fixed duty, if the right hon. Baronet would do so, he should have his humble support. But as this did not seem likely to take place, thinking as he did, the present law most injurious in every way to the well-being of the country, feeling most deeply for the distress and misery of the people, he could no longer consider himself justified in withholding his vote, and which vote he should give in favour of the motion so ably brought forward by the hon. Member for Wolverhampton, and likewise calling upon hon. Members to consider well before they gave their vote against this measure—for he believed, that in after life, when as men grew older, party feeling and private interest became less predominant, when they did, as all men must do, look back upon the course they had run, whether that course was for evil or for good, that voting in favour of this measure would never be a source of regret but one of satisfaction, for it would be a vote given in support of the principles of strict justice, as well as the dictation of humanity.

Mr. *E. Buller* said, though he intended to support the motion of his hon. Friend the Member for Wolverhampton, he was not of opinion that the time was come when it would be safe or expedient to remove all duty on the importation of grain. Still less, however, could he vote with hon. Gentlemen opposite, if, by so doing, he was to be supposed to express approbation of the existing law. Hon. Gentlemen opposite said, that the principles of free trade were sound and true, but that those sound and true principles were not applicable to a country so burthened with debt as our own; but how could it be argued that a course would be impolitic for a country to pursue when out of debt, and yet that the country would grow rich by pursuing that course when in debt? The way to grow rich, is the way to pay debts. An enormous debt required a large revenue, and that revenue must be derived from various sources. There was no source from which revenue could be derived in a less oppressive manner than from the customs, if levied upon a reasonable, regular, and fair principle. But the present law at one time prohibits importation, at another sacrifices revenue. Much had been said about the peculiar burdens to which land was subject, and he was prepared to admit the justice of the claim to a limited extent with regard to poor rate, county rate, highway rate, and other local rates; but he denied that either tithes or marriage jointures or the malt tax were burthens on land establishing a fair ground for a claim for compensation. When, on the occasion of the hon. Member for Sheffield's motion, tithes were spoken of as a peculiar burthen on land, he really expected that some one would have risen on the Opposition side, and, by way of a *reductio ad absurdum*, have asked whether jointures ought not also to be reckoned in that light. Why, what was a jointure but a transfer of a portion of the freehold to another party? A man might as well ask for compensation because he did not happen to possess the whole of an estate. Adam Smith, while he treated tithes as a distinct property, described them as a discouragement to agricultural improvements, and so they certainly were as long as they continued to be taken in kind, and on that account might constitute a claim to equivalent protecting duties, but by the commutation of tithes, the tithe rent charge becomes a fiscal payment, no longer varying according to the cultivation, and has no more effect in increasing the expences of the farmer, or the price of his produce, than rent itself, of which it may justly be considered a portion. With respect to the poor-rates, inasmuch as they increased in amount as the land improved in value, he admitted there was a claim to a limited extent for compensation. Again, the malt-tax limited the demand, and, by so doing, reduced the price of barley; therefore, to a certain extent, there was a claim for compensation by a protecting duty on that ground; but that it was a tax on the farmer, as the duty on printed cotton was a tax on the manufacturer, was a proposition so strange that he was perfectly thunderstruck when he heard it from the right hon. Baronet the Member for Tamworth. He thought the agriculturists were entitled to have a duty on grain the produce of foreign countries, similar to the duty imposed on articles of raw material by the tariff. That duty was one of five per cent., and he thought a duty of five per cent. on grain was justifiable on that ground, while the claim on the ground of peculiar burthens would be amply met by another duty of five per cent. A fixed duty of ten per cent. upon corn, or less than 6*s*. a quarter, was the utmost that could be justly and reasonably granted to the claims of the agricultural interest, consistently with the interests of the public in general. A fixed duty would obviate those objections which were brought against the Corn-law of last Session, to which it was liable equally with that of 1828. The right hon. Baronet said, that law had lowered the prices of food; but if there had been any reduction, it arose from the diminished consumption of food by the people. So long as that law existed, the Legislature would be open to the reproach that they raised the price of food to an artificially high point, in order to put money into the pockets of the agricultural interest, and thus created a scarcity of the great articles of sustenance, which added immensely to the distresses of the people. The right hon. Gentleman the Vice-president of the Board of Trade had argued that the experience of last year was favourable to the new law, but he had forgotten to mention that last year was one calculated to show its operation to advantage, while the preceding year was of a character equally well calculated to show the defects of the former law. In the spring of 1841 there existed the strongest hopes of an abundant harvest. He had conversed with many Gentlemen interested in the result, who assured him they expected that it would turn out quite an *annus mirabilis*. But these were speedily overclouded by rains and unfavourable weather, and the harvest proving deficient a great quantity of corn was imported in the course of a few weeks. Last year, on the contrary, apprehensions as to the character of the harvest prevailed in the early part of the season, and the importation was more gradual and constant. In April, 1841, there were in bond only 107,000 quarters; in April, 1842, 311,000. In May, 1841, the quantity bonded was 415,000; in May, 1842, 1,082,000; in June, 1841, it was 579,000; in June, 1842, 1,253,000. In May, June, and July last, with this large quantity of grain in the country in bond, the effect of the present Corn-law was to keep the price up to 60*s*. and 65*s*. a quarter, a price infinitely beyond what 80*s*. would be at other times, considering the distress of the people, and then, when prices had been forced up to the highest point attainable, 2,240,000 quarters were poured into the market in one week, and the price fell from 65*s*. down to 48*s*. 7*d*. The regularity of the importations during the spring, arising out of the expectation of a deficient harvest, fully accounted for no bullion, in comparison with 1841, having been exported from the country last year; there was no proof that the law of last year was the cause of the better state of things; on the contrary, he thought the present law had all the defects of the last, and under similar circumstances to those in existence in 1841 would give rise to similar disastrous results. It had been said that the advocates of the motion ought to imagine the possibility of its being carried; he did so, though, of course, with no sanguine expectations. If, however, by any miracle, a majority should affirm the motion, he was sure that hon. Members opposite would soon support the moderate advocates of a fixed duty. It was said, indeed, a fixed duty would not last, but would a sliding-scale? The policy of the Cabinet had been ably expressed as that of allowing manufactures a fair and open rivalry with continental competitors, and why should not agriculture be exposed to the same trial? There were Pharisees as well in politics as religion, and it was just possible to "take the tithe of mint, and anise, and cummin, and omit the weightier matters of the law." The right hon. Gentleman the Vice-president of the Board of Trade had made a very stout speech, and had spoken of some contract with the agriculturists in favour of the Corn-laws; an idea, however, which the Premier took care to repudiate, using language similar to that which had been used by "gay deceivers" ever since man was first fickle and woman confiding. "I did not make any promises." "I uttered no vows." "You threw yourselves into my arms voluntarily and unreservedly." [Sir R. Peel just before re-entered the House.]

"Nec conjugis unquam,
"Prætendi tædas aut hæc in fœdera veni."

And soon the time would come when the right hon. Baronet would lament to them the painful necessity for surrendering them to further sacrifice, dexterously excusing himself for the apparent unkindness.

"——— Ipse Deum manifesto in lumine vidi
Intrantem muros, vocemque his auribus hausi."

"I have seen Mr. Cobden within the walls of the House of Commons, and heard him with my own ears, he speaks so powerfully and so pointedly that the temper of Ministers can't stand it." The time has arrived!—

"Desine, meque tuis incendere: teque querelis:
Italiam non sponte sequor."

"My affections—my attachments are with you; but—cease your complainings —hard fate and necessity compel me to change!"

The hon. Member concluded by expressing his hope that they might get a majority for going into committee; and if by some miracle that were attained, then he was satisfied all the moderate men would combine, and form a majority for a fixed duty.

Sir *C. Burrell* said, nobody could regret having heard the speech of the hon. Member for Stafford (Mr. Buller), whose clever speech must have sufficiently shown the incorrectness of the idea that country gentlemen were ill-educated and ill-informed persons. Nothing could be more pleasing than the hon. Member's classical allusions, but his arguments had not been so convincing as his quotations had been happy. The land-tax, which had been called a composition for the old feudal services, had not been imposed till the reign of William 3rd, while the feudal burthens had been finally abolished in the time of Charles 2nd. So long as the national debt remained, we could not have free-trade. He believed, that if they took from agriculture its fair protection, they would injure the home trade to a degree they could hardly conceive; and on that ground he should certainly vote against the motion. The hon. Member who preceded him had drawn also wrong conclusions as to the amount of the land-tax being greater in France than in England, forgetting, or perhaps, as an Irish Member, not being aware, from Ireland being free from land-tax, that it was a very heavy and productive tax, wholly resting on land in England, but which, by the sacrifice of much capital for its redemption, had been much reduced in annual amount, the redemption money having been applied to the purposes of the nation. And it was not to be forgotten that the Ministry of that day, to induce redemption of the land-tax to a certain amount, gave to the parties the right of voting for Members of Parliament, the same as if possessed of land or tenements,—a right guaranteed by Parliament, but which, without regard to such enactments, the Reform Act had swept away. Casting aside the obloquy which, with much illiberality and injustice, some persons had tried to attach to the landowners, endeavouring to make it appear that the land occupiers had wholly separate interests from their landlords, as regards protection against foreign corn and capital, I contend that such opinions are untenable and unfounded,—for those who so argue cannot be aware of the loss of capital in the value of his live and dead stock which inevitably ensues to the landholder whenever the prices of agricultural produce are seriously depreciated. And with all their vaunted feelings for the labourers, I can from long experience assure hon. Gentlemen holding such opinions, that they are practically wrong; for low prices of produce inevitably tend to reduce labour value,—and, what is far worse, to narrow greatly the means of employment; and the consequences of disastrous times to agriculture cramp and injure the home trade to a degree of which experience alone can furnish the idea. At this moment, on the information of a partner in a great wholesale house, I can state, that to send riders out of town for fresh orders is of little avail, while to obtain money from shopkeepers is out of the question in general owing to the failure of custom, and eventually the evil reaches, or will reach, the manufacturers. If the arguments of the Anti-Corn-law party mean anything, when talking of the impossibility of competing with low prices of continental labour, it can alone mean and imply, as clear as day, the desire to reduce the price of labour in this country, and especially of manufacturing operatives, to the scale of continental labour prices; for no one will be so absurd as to suppose they entertain the project of raising the prices of continental labour to our prices. As to the free-trade so much called for, it is a mere delusion without reciprocity; and do what we may, it is quite clear that the continental powers will not heed our example, but consult wisely the interests of their own countries, laying such duties on our manufactures as shall protect their own, as any one may see by reference to their respective tariffs. Take the tariff of the United States,—that country which is the theme of so much eulogium, though degraded by the toleration of slavery in some of their states. Their tariff is as follows:—*

Next take the example of the Prussian government in 1816 and 1817, when a dearth existed in England, and immediately that government laid on an export duty of 20 per cent., thus preventing a lowering of the price of bread corn in this country. Such would be the case with all exporting countries in times of dearth here; and it behoves, therefore, the British Government to foster and promote British agriculture. so as to make us generally, and in fair seasons, independent of foreign-grown corn. I now, Sir, turn to a comparison of the number of labourers on the land, and of manufacturing operatives, according to returns of 1836, shewing the great excess of the former over the latter class of labourers;—

Labourers on the land . .	9,227,000
Labourers in manufacture .	2,176,000

If, then, these returns were correct, will any man presume to say that the interests of the smaller population should take precedence of the greater industrial population, the excess of which was no less than 7,051,000. Let us now compare the relative burthens by the poor-rates, according to Parliamentary returns:—

Agricultural districts . .	£4,250,000
Mill owners and manufacturers	500,000
Excess of burthens on land	£3,750,000

And I am persuaded that if the relative proceeds of the Income-tax were stated, a similar proportional excess of burthen would be found to lie upon the land. Now, Sir, let us see if the outcries made by the Anti Corn-law unionists and manufacturers of cotton are well founded. I

	1832.	1842. Would have been by Mr. Clay's Bill.	1842. Are by the present Tariff.
Flannel and baize, per square yard . .	16 cents.	20 per ct. ad val.	14 cents.
Carpetting (Brussels) ditto . . .	63 ditto.	Ditto.	55 ditto.
Carpetting (Venetian) ditto . . .	35 ditto.	Ditto.	30 ditto.
Carpetting (Floor cloth) ditto . .	43 ditto.	Ditto.	35 ditto.
Wool, over 8 cents per lb., ad valorem	40 per cent. and 4 cents	Ditto.	30 per ct.
Woollen yarn, ditto	50 per cent. and 4 cents	Ditto.	40 ditto.
Merino shawls ditto	50 per cent.	Ditto.	40 ditto.
Cloths and cassimeres, ditto . . .	50 per cent.	Ditto.	40 ditto.
Other woollen goods, ditto . . .	50 per cent.	Ditto.	30 ditto.
Clothes ready made, ditto . . .	50 per cent.	Ditto.	50 ditto.
Cotton, unmanufactured, per lb.		Ditto.	3 cents.
Cotton manufactures, ad valorem		Ditto.	30 per ct.
Except cotton twist, unbleached and uncoloured, less than 60 cents per lb.		Ditto.	25 ditto.
Ditto bleached and coloured, ditto . . .		Ditto.	30 ditto.
Silk, manufactured, per lb.		Ditto.	2 dls. 50 c.
Except silk bolting cloth, ad valorem . . .		Ditto.	20 per ct.
Ditto mixed with gold and silver, ad valorem . .		Ditto.	30 per ct.
Ditto sewing silk, twist, &c., per lb. . . .		Ditto.	2 dollars.
Linens and other manufactures of flax ad valorem .		Ditto.	25 per ct.

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* See table (as note) following column.

take the return of the 3rd May 1843, respecting the import of cotton wool for manufacturing purposes.

	lbs.
In the quarter ending 5th April, 1842, imported . . .	132,272,762
While to 5th April 1843 were imported	181,823,116
There being in the latter year an excess imported in the quarter of	49,550,354

This fact I leave to speak for itself. We have heard of trades being willing to abandon protection to their interests, but I call on hon. Gentlemen to produce a single instance of any manufacturer or trader that has come forward to renounce its especial claim to protection, whether hosiers, silks or cotton manufacturers, clothiers carpet makers, glovers, &c., &c., &c., not forgetting the shipping interest, which at a short distance of time cried out for more protection to British bottoms. Some Gentlemen have talked of the Corn-laws as of late origin; but if they look into history, they will find that the Corn-laws commenced in the early periods of our history, as far back as Edward the 3rd's reign; and by wise laws, under different reigns, England, when its agriculture was protected, became an exporting instead of an importing country, and when agriculture flourished, manufactures and trade flourished likewise, and when unwise laws injured agriculture, then manufactures and trade languished and decayed; and such will be the certain result now, if due and fair protection to agriculture is unwisely withdrawn. I shall, Sir, conclude with a quotation from Mr. Alexander Divom, the talented writer on the Corn-laws. Mr. Divom thus writes in page 107:—

> "We write for no partial purposes, nor for or against any man or set of men; it is for the benefit of the public in general that our agriculture should be restored to its former efficiency, and that our children and manufacturers should be fed with the bread of our own hands; it is the only bread that can be eaten in plenty and with safety: for if we shall be brought to depend upon the bread of foreign nations, our manufactures will be buried in the ruins of our agriculture."

I have now only to thank the House for the patient hearing which it has granted me, at the same time that I re-state my intention to vote against the motion for a committee.

Mr. *P. Scrope* trusted the House would permit him to state the reasons which induced him to give his support to the motion of the hon. Member for Wolverhampton. It appeared, that the debate was to be carried on mainly by Gentleman on his (the Opposition) side of the House, but he hoped the silence of hon. Members opposite was not to be attributed to an order which was supposed to have been given by the right hon. Baronet at the head of the Government, for them not to come down to the House. He would not attribute it to that, and he thought, that as the debate would apparently be confined to hon. Gentlemen on his side of the House, it might be finished that evening. The right hon. Baronet, in his speech on this question, began by using an argument in a most triumphant tone, and which he conceived to be unanswerable, and defied any hon. Member on that (the Opposition) side of the House to answer. The argument he alluded to was, that if they carried the principle of free-trade to its extreme length, they must effect a complete revolution in the whole financial system, that they could not abolish the Corn-laws without abolishing the differential duties in the colonies, and repealing all the taxation which savoured of protection. He agreed with the right hon. Baronet entirely. He went even further. He would state, that all taxation—he meant indirect taxation—savoured of protection. It was almost impossible to name any tax that did not in some degree protect some interest which would be placed in a less favourable situation without it. Take, for instance, the tax upon foreign wine; it was quite clear, that were it removed, there would be a diminished consumption of beer, cider, and other articles produced in this country. But taxes should not be imposed for the purpose of protection alone; for the purpose of revenue; for the payment of the debt and the charges of the country—there must be taxes; they could not, on that account, carry the system of free-trade to the extent of repealing all taxation; but they ought to proceed in their financial system upon the principles of levying taxes for revenue, and not for protection. Those principles were, first, the productiveness of the tax; and secondly, to weigh as lightly as possible upon the great masses of the community—to tax the wealthy, not the poor—to tax articles of luxury, not those of necessity. By imposing a tax upon wine, what was the consequence? Fewer people drank wine in this country. He did not think that was of much consequence now, that those who drank it paid more for it. It was the same with spirits and tobacco; but when they went further, to articles that had some relation to the necessary wants of the people, their taxation, although it should not stop short, should press as lightly as possible. A tax upon sugar, coffee, and tea, might be justifiable; but by such a tax some other interests in this country were protected. He said, therefore, that when they were regulating their system of taxation the last object upon which they should impose a tax, was that which formed the main subsistence of the great body of the people. The right hon. Baronet appeared to agree with him in the principles he had laid down, at all events in the principles with respect to free-trade,—namely, that every interest found its greatest advantage to consist in being left to its own resources; that all interference of the Legislature in protecting one interest must be at the expense of another, and that such interference was mischievous and should be avoided as far as it could be consistently with raising the revenue. Some hon. Gentlemen in the course of the debate had shown, that they had not quite understood these arguments. Now, if he had 100*l.* and laid it out in British labour—he said labour alone, and did not speak of rent, and grew fifty quarters of corn and were to bring them to market, and if he had another 100*l.* which he laid out in cloth, took the cloth abroad and sold it for corn, he would ask why should the Legisluture give protection to one of these parcels of corn over the other? Why should they not both come into the market upon terms of equality, for both were the produce of British industry, the foreign corn being introduced only in exchange for articles produced here? He would turn to the arguments, that were urged in favour of the continuance of this tax. They were, first, the special burthens upon land; and, secondly, the vested interests in agriculture. He thought it had been shown, that those special burthens did not fall exclusively upon the land. For instance, the hon. Member for Staffordshire had shown, that tithe was not exclusively a burthen upon the land; and the arguments from Ricardo and Adam Smith in favour of such an opinion were now cut short by the Tithe Commutation Act. The other argument was, that there was a sort of vested interest, a sort of prescriptive right on the part of the agriculturists to this protection. But because the landed interest had at one time induced the Legislature to grant them protection, and because that protection had been continued during many years, was that a reason why it should be continued for ever? How long did they wish their prescriptive right to last? When the Corn-law of 1828 was passed there was this excuse for it—that the proposers believed in the wisdom and necessity of their own measure; but that excuse was wanting to them now. So far from the Ministers who now upheld the Corn-law, believing it to be a wise measure, they had admitted the fallacy of the principle on which it was founded. To the farmer, the uncertainty produced by this inconsistent course was worse than a repeal of the Corn-law itself would be. Better tell them that their protection would be reduced gradually at the rate of 1*s.* a-year, than keep on a protection which they were taught to fear might at any time be taken away from them, if they knew that they were to expect a given change at a given period, they would know how to act and invest their capital accordingly. It would be better for them to have a corn rent and no Corn-law, than to be deluded with a protection that was slipping from under them every year, while in the meantime they were compelled to pay their present fixed rents even to the extent of the last farthing of their very capital itself. No time, he felt satisfied, could be chosen more favourable for a repeal of the Corn-laws than the present, when prices were so low, and were likely, in consequence of the expected favourable harvest, to continue so low, and when the panic created by the late change and the present prices was such, that even repeal could not increase it. In the present state of things, too, it was not likely that there would be any great importation of corn from abroad in the event of the measure being carried, for no arrangements for that purpose appeared to have been made. For these reasons he thought the present the most favourable opportunity for a repeal of the Corn-laws. If we looked to our foreign relations we should find that the time was come, and was fast passing away, when we could effect arrangements favourable to our trade. Had it not been for the law of 1815, we should now have an incalculable trade with both Europe and America. Those hostile tariffs that had been so often deplored had arisen out of our own protective tariff—they were the spawn of the Corn-laws. All our negotiations with foreign countries for commercial treaties agreed in representing one fact—that the first step towards obtaining a modification of foreign tariffs must be to take off our own corn duties. Though we had, perhaps, lost some of the European markets, yet he appealed to the right hon. Baronet, whether he was not convinced that a more liberal course of policy would secure and preserve for us the immense markets of America? He believed that it was very probable if we showed such a disposition we should get next year a more favourable tariff from the United States. The hon. Member for Somersetshire had put forth the existence of the national debt as one argument for the maintenance of the Corn-laws. Why, the landed interest paid this year through the Income-tax 3,000,000*l.* more to the national debt than they did last year, and if the revenue fell off they might have next year to pay 5,000,000*l.* In fact, they might go on till the whole burthen of the national debt lay on their shoulders, for their land was mortgaged to the national debt, and could not escape. Manufacturing capital was not so situated; it could go abroad, and escape the payment of the Income-tax. In fact, that sort of emigration was going on every day. Since he entered the House that day he had seen one manufacturer who had been compelled to discharge his workmen and shut up his mill. His foreman, whom he could not keep at remunerating wages, had been obliged last year to leave home, and had gone to the United States. That manufacturer had a few days ago received a letter from him from America, saying that he got double wages, while his expenditure was two-thirds what it had been at home, and that he was now three times as well off as before. He entreated his late fellow-workmen to come out, and many were following his recommendation. Now, this sort of thing was increasing, and would go on, unless the manufacturing interest was put on a level with the others. Some hon. Gentleman had alluded in very strong terms to what they alleged to be the motives of the landlords in endeavouring to keep up the Corn-laws. As far as the House was concerned, he thought they had nothing whatever to do with the motives of a Legislator. But the case was far different as it regarded the opinion entertained by the starving millions out of doors as to the motives of the landlords. That was a question of much importance, and he could not but regard it as dangerous to the peace of the country, that the opinion should get abroad among the people that the landlords kept up the price of food for the advancement of their own pecuniary interest. Two facts there unfortunately were to influence their opinion. The first was, that the landlords were the makers of the laws, and the second was, that it was declared to be their interest to keep up the Corn-laws. Such being the facts presented to the people, it was most natural for them to come to the conclusion that the landlords were keeping up the Corn-laws for the sake of their own interest. What must they think when they saw a Cabinet Minister come down and tell the House of Commons that it was necessary that they should keep up the Corn-laws in order to pay the jointures and other charges for their families with which they had mortgaged their estates? [Sir *E. Knatchbull*: No, no.] He should be sorry to misrepresent the right hon. Baronet, and would be happy to retract if he had misrepresented him.

Sir *E. Knatchbull* interposed, and was understood to say that his argument was, that the repeal of the Corn-law would work considerable injury to persons having made engagements for marriage settlements and other pecuniary obligations, on their faith in the continuance of the present law.

Mr. *P. Scrope*: It was said that the landowners had mortgaged their estates, and had executed a variety of family settlements. Now what was the value of that argument, unless it was considered that it was not the interest of the landowners to repeal the Corn-law—that they had a deep pecuniary interest in maintaining that law, and that they could not pay the charges effected by their family settlements, unless the law was maintained? The people out of doors would believe that the law was maintained for that purpose. That was a most dangerous feeling to exist. It was a feeling which might not have existed a year ago; but he believed that public opinion had now denounced the law so strongly that it was most dangerous to the peace of the country to allow such an argument any longer to be put forth. These were not new opinions taken up by him, in consequence of the strong feeling that now existed against this law. Ten years ago he published his thoughts upon this subject, and argued in favour of free-trade, more especially in the article of corn, and he contended that if there were exclusive burthens on the land, they ought to be equalized, because the effect of an inequality of charges on land was the creating the necessity of imposing a tax on the poor man's food. Another argument in favour of repealing the Corn-law was, that now many poor men were supported out of the poor-rates. These persons were unproductive labourers; but if the Corn-law were repealed they would obtain employment, and thus thousands would be supported by wages for labour instead of by the Poor-law. His opinion was, that the population of the country might be doubled without decreasing the growth of corn or diminishing its price. He saw no reason why, by an increasing population, agricultural produce should be decreased in price, or why rents should fall; while he was sure that a free-trade in corn would extensively devolope the resources of the country, and essentially promote the prosperity of the whole community.

Colonel *Wood* said, that if he did not sincerely believe the Corn-laws were calculated to promote the interest of the manufactures of this country as much as the interest of the agriculturists, he would not for a moment vote for their continuance. But if hon. Gentlemen opposite were advocates for free-trade, he presumed they were also advocates for free cultivation. Now, it was well known that a farmer could not put a sickle into his corn without paying a duty on the malt of which the beer of his labourers was brewed. Was that the case in Poland, Prussia, and America? The farmer was prohibited from growing tobacco. The year before that prohibition was passed, a nobleman directed his steward in Ireland to confine the growth of tobacco to one acre, and the produce of that acre yielded him 500*l.* [Mr. *M. Gibson:* We do not eat tobacco.] Though they could not eat tobacco, what did they think of sugar? No less than 4*l.* per ton was imposed in Ireland on sugar made from wheat during the last year; and, lastly, the farmer was prohibited from malting his own barley. Thus the British farmer was put to a heavier expense, and was hedged about by prohibitions beyond what any foreign farmer was subjected to. If, then, a large supply of foreign corn were brought into this country, a great portion of the land must be put out of cultivation; and, finally, England would be dependent upon foreign nations for the supply of corn. What were the reasons for supporting the Corn-law of 1815? The present Lord Fitzwilliam, then Lord Milton, supported that law, saying that—

> "After duly weighing both sides of the question, he wished to state it to the House. The question lay between two evils; and although in the abstract he was friendly to a free trade, yet in this case, as it would not depend upon ourselves alone, he was inclined to favour a measure, the object of which was to render us independent of foreign assistance. He could bear witness, from his own personal experience, to the severe distresses of the labourers in husbandry, to whom the cheapness of corn (so much wished for by those who argued on the other side), was a disadvantage, because that very circumstance threw them out of work; he was informed that in the Bedford Level half the population were receiving parochial relief. Although the adoption of this bill might be partially disadvantageous, he was convinced it would be generally beneficial, and without it he thought that the farmer would be ruined and the labourer starved."

He ought, perhaps, to apologise for troubling the House with these quotations, but as the question was an important one, it was desirable that the reasons for passing the Corn-law of 1815 should be known. Hear what another Gentleman stated—not a Tory, but a Whig—like Lord Milton, and who was unfriendly to the Government of that day. Mr. Thomson (afterwards Lord Sydenham) followed the noble Lord, and observed—

> "In a small village near Hull, where a number of labouring poor resided, he inquired what was the reason of their distress, now that the corn was at such reduced prices? 'Why, Sir, said some of the poor people, 'it is very true that corn can be purchased cheaper than at any former period; but then this is of no importance to us, for we can get no work, and, consequently, have not the means of buying it.' When he asked the cause of this, they said, 'the farmers have no money, and cannot pay us for our labour."

He immediately offered to give some twenty of them employment, and a person present said, if he could employ forty more, they would be most anxious to obtain his patronage at any rate. Nothing could be more obvious than that the reduction of the price of corn had produced these events, and that reduction manifestly was attributable to the importation of foreign grain. He did not wish the farmers to have a very high price for their corn, but he wished them to have such a price as would protect them in their labours; and if he wished plenty to the poor, he certainly did not wish to see them fed with French corn, or clothed with foreign manufactures. He wished everything to be English, and for this reason he would protect the agriculturist as well as the manufacturer. Hitherto the manufacturer had been protected in every possible way. There was a duty upon everything which could in the slightest way interfere with his interest, and every facility given to the exportation of his commodity. But how was the farmer treated? He was prohibited from exporting his wool and his cattle; and even after his sheep were killed, he was not allowed to export their skins. The manufacturer of leather was protected in a monopoly of the skin, while the farmer was prevented from deriving the advantage which similar privileges would give him. Why should this be the case, and why should the interests of one class of society be sacrificed for the sake of promoting those of another? To export all we could, and to import as little as we could help, was a maxim which any one would allow was applicable to the real interests of this country; and if it applied to one species of commodity, why should it not apply to another? If it applied to manufactures, why should it not apply to corn? The disadvantages arising from its not being applied to corn, had been seriously felt, and he apprehended would, ere long, be very generally acknowledged. Already did the shopkeepers in market towns view with dismay the distresses of the farmer; in vain did they look for that custom to which they had heretofore been accustomed; the farmer passed their doors dejected and distressed, he was no longer able to purchase those little articles of luxury and manufacture which had given spirit to trade, and that friendly intercourse which had in former times subsisted, was broken up. These were the reasons assigned for supporting the act of 1815, an act which was not passed for the unworthy purpose of propping up rents and giving farmers an undue advantage in the market. What was the history of the act of 1815? It was, in point of fact, a compromise between those who were then in the habit of opposing the Government, and who said, "We will not lay a tax on corn, but we will give you an act that shall prohibit the importation of foreign corn until the price indicates a deficiency of supply, and the ports shall be open and importation shall be free." He had himself supported that measure, but he owned it turned out a complete failure; for in the autumn of 1816 it had inflicted on the country all the evils of a panic price, and in 1818, when the grain in this country was sufficient for the population, it poured in the whole harvest of the Continent to swamp native agriculture for four successive years. The Act of 1815 was adopted in lieu of the sliding-scale proposed by Mr. Huskisson in 1814; and what was it? Mr. Huskisson proposed three resolutions:—

> 1st. That it is the opinion of this committee that it is expedient that the exportation of corn, grain, meal, malt, and flour, from any part of the united kingdom should be permitted at all times without the payment of any duty and without receiving any bounty whatever; 2nd, that it is expedient that the several duties now payable in respect of all corn, grain, meal, and flour, imported into the United Kingdom should cease and determine; and that the several duties in the following schedule shall be paid in lieu thereof."

When the average price of corn was under 63*s.*, the duty was to be 24*s.*; and for every advance of 1*s.* in the price, there was to be a corresponding decrease in the duty, from 63*s.* to 85*s.* when importation was to be free. Up to the period to which he referred, there had been no warehouseing, but when a ship arrived in port the duty was paid on the day of arrival. Mr. Huskisson, however, wished to permit the warehousing of corn in this country without the payment of duty, and he proposed his sliding scale to permit corn so warehoused to be gradually brought into the market. Mr. Huskisson's third resolution was,—

> "That it is the opinion of this committee, that it is expedient that all foreign corn, grain, meal, and flour, should at all times be imported and warehoused free of all duty until taken out for home consumption, and should at all times be exported free of all duty."

Mr. Huskisson's object, then, in 1814, was to permit the introduction of corn at a duty regulated by a sliding-scale; and he wished that at that time the sliding-scale proposed by that statesman had been adopted. But what had since taken place?

In 1822 the import price was lowered from 80*s*. to 70*s*.; Mr. Canning reduced it to 65*s*.; the present graduated scale reduced the import price from 63*s*. to 50*s*., and the reduction of duty was regulated in a manner similar to that proposed by Mr. Huskisson. He considered Mr. Huskisson's proposal a very fair and proper one; and he thought that when hon. Gentlemen opposite found that there was so much similarity between the present system and that proposed by Mr. Huskisson, they would not entertain so bad an opinion of the existing system as they had hitherto professed. He would ask the indulgence of the House while he quoted Mr. Huskisson's reasons for the proposal which he made in 1814. Mr. Huskisson said,—

> "If I were not fully convinced that the consumer in general, but more especially that class of consumers whose subsistence depends on their own industry, would be benefitted by the proposed alteration, it would not have had my support. My sole object is to prevent (as far as human means can prevent) bread-corn from ever again reaching the late extravagant prices. Can any man have witnessed the scarcities and consequent privations of the people during six or seven different seasons of the last twenty years, without feeling anxious to guard the country against the return of such severe distress? But if we wish to cure an evil of this alarming magnitude, we must first trace it to its source. What is that source? Obviously this, that until now we did not, even in good years, grow corn enough for our own consumption. Habitually depending on foreign supply, that supply was interrupted by war or by bad seasons abroad. The present war, it is true, is now at an end; but peace is, at all times, too precarious not to induce us to guard against the repetition of similar calamities whenever hostilities may be renewed. But, even in peace, the habitual dependence on foreign supply is dangerous. We place the subsistence of our own population not only at the mercy of foreign powers, but also on their being able to spare as much corn as we may want to buy. Suppose, as it frequently happens, the harvest in the same year to be a short one, not only in this country, but in the foreign countries from which we are fed—what follows? The habitually exporting country, France for instance, stops the export of its corn, and feeds its people without any great pressure. The habitually importing country, England, which, even in a good season, has hitherto depended on the aid of foreign corn, deprived of that aid, in a year of scarcity, is driven to distress bordering upon famine. There is, therefore, no effectual security, either in peace or war, against the frequent return of scarcity approaching to starvation, such as of late years we have so frequently experienced, but in our maintaining ourselves habitually independent of foreign supply. Let the bread we eat be the produce of corn grown among ourselves, and for one I care not how cheap it is; the cheaper the better. It is cheap now, and I rejoice at it; because it is altogether owing to a sufficiency of corn of our own growth. But in order to insure a continuance of that cheapness and that sufficiency, we must insure to our own growers that protection against foreign import which has produced these blessings, and by which alone they can be permanently maintained."

He thought, then, that hon. Gentlemen opposite would admit that the existing system was not a measure of the day, but that it was first suggested by Mr. Huskisson, who defended it by the arguments which he had now adduced. It had been argued that they were to apply the principles of free trade to agriculture—that they were to buy cheap and to sell dear. He protested against the application of this principle of buying cheap and selling dear. Would any one tell him that the British farmers ought to go into the market and beat down the price of the labourers' wages—only caring to get his work done at a cheap rate? His creed was, "a fair day's wages for a fair day's work." He protested equally against buying cheaply and selling dearly, so far as the agriculturist was concerned. The object of the British farmer was only to obtain a fair remunerating price, which would enable him to cultivate his land to support himself, and to pay a fair rent to his landlord, —his maxim indeed was, "Live and let live." He believed that the great body of the landed proprietors of this country were fully impressed with the conviction that they had duties to discharge as well as rights to maintain, and that they felt their duty was to promote, as far as they could do so, the happiness, the comfort, and the education of their poorer fellow countrymen. He was prepared to give a full contradiction to the assertion that the landowners supported the Corn-laws in order to keep up their rents and to fill their own pockets. The wish of the landed proprietors was, he was convinced, to see all interests in a prosperous and flourishing state; and they believed that, in supporting the laws regulating the import of foreign corn, they were promoting the welfare and prosperity of the country. Some hon. Members opposite had stated that, if the House went into committee on this subject they would support a fixed duty; but he feared that those hon. Gentlemen would abandon their principle of a fixed duty, and join in the attempt to obtain the total repeal of the Corn-laws.

Mr. *Thornely* said, he wished to make a few observations as to the influence of the present Corn-laws upon our commercial intercourse with foreign countries. He believed that if the subject were carefully investigated, it would be found, that the hostile tariffs of foreign nations had been adopted mainly in consequence of the Corn-laws and other commercial restrictions established by Great Britain. Reference had been made to the tariff adopted last year by the legislature of the United States of America, which had produced a most extensive and injurious effect upon our exports, and it had been stated that large imports of bullion were now taking place from this country to the United States. He had last autumn visited the United States, and he arrived in that country just at the period when the Congress had adopted the high tariff to which he had alluded. On several occasions he informed Americans that we had reduced the duty upon numerous articles of their export, but their invariable answer was, "That may be the case; but look at your Corn-laws." In the month of October last he visited Washington, and paid his respect to the President of the United States, and he took the opportunity of presenting to that Gentleman a statement of the reduction effected by our new tariff in the duties on the importation of many articles of American produce, and expressed a hope that this reduction would tend to increase the commercial intercourse between the two countries. Mr. Tyler replied—

> "I value this document, but I do not see how we can trade largely with your country, while your present Corn-law exists."

He thought that the Governments of this country, whatever might have been their political opinions, had not sufficiently estimated the importance of the American trade. In the year 1832 an act was passed by the Congress, commonly called Mr. Clay's Compromise Act, which provided that a gradual reduction should be effected annually during a period of ten years in the duties on British goods, and that at the end of that time, which expired on the 30th June, 1842, the duty should be 20 per cent. *ad valorem*. The duty could not be reduced further, because the government of the United States depended for its revenue upon the duty on imports, and a duty of less than 20 per cent. would not enable them to maintain their establishments. During the whole period of ten years to which he had alluded, this country made no endeavour to meet America on the question of the Corn-laws. The sliding-scale had been continued, and whenever we needed corn, the near ports of Europe had an immense advantage over those of the United States. We had endeavoured to conclude a commercial treaty with Portugal, which received our manufactures to the value of little more than 1,000,000*l.* per annum, while we had made no such attempt with respect to the United States—a country which for several years past had been a customer for our manufactures to the extent of nearly 7,000,000*l.* a-year. During the last ten years, great progress had been made in the manufactures of the United States, and he could state that the high tariff party was at present the popular party in that country. The Americans had now their annual exhibitions of home manufactures; he had attended two of them last autumn at New York and Philadelphia, and was surprised at the advance which had been made in the manufacture of woollens, cotton, glass, hardware, and cutlery. With respect to the proposal of the Government, that American corn should be admitted into Canada, his opinion was, that no great quantity of grain would be imported into this country from Canada under that act, and he did not believe that by that measure we should gain any credit with the American government. The shipowners of America were extremely jealous of foreign interference, and they complained that while we wanted their wheat or grain, we wished to obtain it through a British colony, in order that it might be imported into this country in British vessels, to the exclusion of American ships. He believed, that by delaying to adopt measures of free-trade, the commercial intercourse of this country with foreign nations had been materially injured. He had received a letter from the United States, in which the writer stated:—

> "The movement on your side, in relation to lower duties, is too late; besides, our people know from the discussions on the subject that an admission of corn, timber, &c., at more favourable rates, is a policy forced upon you by

circumstances independent of any regard to the principles of free-trade. If such be the case, they say that we shall have access to you for those articles whatever may be the terms of our tariff. If such changes had been made in 1828 or 1832, when the Compromise Act was enacted, I doubt if the terms of that act—namely, for a revenue duty of 20 per cent.—would have been altered, or materially so. The wheat-growers would have been on the side of moderate duties, whereas they are now indifferent, because even now the sliding-scale is prohibitory, or nearly so; besides, the tariff party, during this long period, have gained a vast deal of strength, especially in the west, the south, and south-west."

That very day he had received a letter from a friend in America by the packet which came in yesterday, and the writer stated as his opinion:—

"Now is the time for England to act; the longer the delay the greater the difficulties to contend with; and bear in mind the future greatness of a country that must, if undisturbed by civil wars, continue to double her population every twenty-four years, for at least three-fourths of a century, and probably longer, and having wealth so great and so equally distributed, as to render a commerce with us twice as much per head as a nation like France and Germany, and five times as much per head as with an equal number of Spaniards, Portuguese, or Russians."

Let it be remembered, that the Congress which voted the high tariff, was no longer in existence, and that the new Congress, which was to meet in December next, was composed of members very many of whom were favourable to a lower tariff. If Parliament persisted in adhering to the sliding-scale, he for one had no idea that America would relax her tariff; but if the Corn-laws were once put upon a rational footing he had very little doubt that the Congress which was to meet in December would modify the tariff and enact measures so as to favour the introduction of British manufactures. He was convinced that it was impossible to overate the importance of this motion. To the decision of the House upon it the country was looking with great anxiety. The debate on the Budget had been most unsatisfactory, because the ministry had held out no hope of a reduction of the duties on imports. The Chancellor of the Exchequer, did, indeed, allude to the fact, that there was some improvement in the cotton trade; and some improvement there undoubtedly was, but no thanks to our legislation. It had so happened, that the cotton crop in America last year had been unusually great, and there was an importation of 749,000 bales into Liverpool this year, while last year only 510,000 bales had been imported. But the reason was, that in consequence of the increased crop, the price had fallen, and cotton was cheaper than at any former period, manufacturers had bought largely, money being abundant, and an increase of trade had accordingly taken place; but if the crop had been as much below the average as it was above, there would have been great embarrassment in the cotton trade. It could not be too often repeated that America, for the last ten years, had been reducing the duties on British imports, whilst we had not met them in a corresponding spirit; conseqently, we had sacrificed our trade to our sliding-scale. The right hon. Baronet had spoken of the depression of trade in this country; he (Mr. Thornely) would not admit that there would be any depression except for the restrictions on trade. Do away with them and allow your merchants and manufacturers to go forth freely and establish markets for themselves, and they would do so and establish a trade; but if they were shackled with restrictions of all kinds, restrictions on the corn trade, and restrictions on the sugar trade, and the rest which prevented them doing so, it could not be expected that our commerce should flourish.

Mr. *Strutt* must say, in reply to the hon. Baronet, the Member for Shoreham (Sir C. Burrell), that the silk trade was not actuated by selfish or exclusive motives in their opposition to the Corn-laws. He had the honour to represent the town where the silk manufacture was first introduced, a century ago; and though, for several years, he had presented petitions from his constituents for the abolition of these laws, not one of them, he believed, failed to pray that the same measure might be dealt out to the manufacturers as to the corn-growers, all they asked being fair play. He had been the more anxious to state the grounds on which he supported the motion, because the right hon. Baronet (Sir R. Peel) had made a powerful and earnest appeal to the House not to give their assent to so precipitate and sweeping a motion, which must lead to the total abolition of the Corn-laws, and compared the conduct of the House, if they should do so, to the conduct of the French National Assembly on the 4th of August, when by one vote they destroyed all the privileges which were enjoyed by the higher classes in France. Now, he was anxious to state why he thought that charge to be wholly unfounded. On that (the Opposition) side of the House, the principle of buying in the cheapest market and selling in the dearest (which the right hon. Baronet supported), was considered to be exactly applicable to this question. What course, then, had been taken by hon. Members on his side? One of the very first motions of the Session had been that of his hon. Friend, the Member for Sheffield (Mr. Ward) for a committee of inquiry into the burthens which pressed on the landed interest, in order to discover what they were, so that there might be grounds laid for legislation. They said to the landed proprietors, "Only let us have a statement of your own case as to these burthens, and what compensation you set against them, but let us have a committee chosen by yourselves, if you will." Now, he asked whether that was a precipitate or sweeping course, or like the course of the National Assembly of France on the occasion to which the right hon. Baronet had alluded. Had that committee been appointed, the very information wanted might have been obtained; but as it had been refused by Government, those who supported the motion for the committee, had no choice left but to follow up their own opinions, and adopt their own course. He had listened with some curiosity to hear the right hon. Baronet explain in what manner the malt duty fell upon the corn grower; but the right hon. Baronet had carefully avoided the main point, and had only contended that it did not fall upon the consumer. The right hon. Gentleman had also referred to the burthen of poor-rates and of tithes, and spoke of them as another important ground for the imposition of a duty on corn. It appeared to him, looking at these taxes as having long existed upon property, as having especially existed during the last century, during which the corn-trade was comparatively free, and seeing that when the landed property was bought it was purchased subject to those burthens, and had been so handed down—he owned that it hardly appeared to him, according to the principles which he had heard the right hon. Baronet advocate in that House that those burthens did justify any taxes as a compensation. He well recollected, when the subject of Church-rates was before the House, that he was forcibly struck with the argument of the right hon. Baronet, when he said, "True, the Dissenters complain, and say that this tax is a burthen on land, but by what right do they complain, when they have purchased their property subject to this tax? The produce of this tax is a portion of the land reserved for the Church, and if the Dissenters wished to lay their hands on this portion they would be taking what was not their own. They, therefore, have no right to resist this tax; but if they did resist it, they would violate the property of others." The right hon. Baronet went on to ask whether, if he were to go to Scotland, and buy an estate subject to the payment of ecclesiastical dues to the established Church there, he would have a right to complain of having to defray that permanent charge. How this argument could be applicable to the case of the poor Dissenter, when he complained of a grievance, but not applicable to that of the wealthy landlord, when he claimed compensation, he (Mr. Strutt) was at a loss to conceive. If the right hon. Gentleman and the Government were prepared to come down to the House, and, acting upon the principles they themselves professed, would say that they would deal with corn as they would with all other commodities, and that they disapproved of the principle of protection altogether, and were prepared to act up to their principles, only claiming that it should be fully considered how they could be applied, so that the least injury could be inflicted on existing interests, if the right hon. Gentleman either now or at any future time would take such a proceeding, he would pay that attention which such a proposition as coming from a Government would deserve. The right hon. Gentleman, however, not only persisted in maintaining the existing law, but he refused inquiry into the burthens, on the ground of which he rested the protection he claimed. So long, therefore, as the right hon. Gentleman refused inquiry; he must act to the best of his judgment, and give his cordial support to the motion of his hon. Friend, the Member for Wolverhampton. He thought that the opponents of the Corn-laws had reason to congratulate themselves, when they saw the conditions on which the question now rested, compared to those on which it was defended a few years ago. He remembered that he had sometimes since seconded the motion of his hon. Friend, and he then said that he looked upon it only as the beginning of a struggle, which might be protracted, but which would lead only to one result. The motion was treated almost with ridicule, and it was hoped that after the large division then against the motion, the question would not be revived. Not only had he seen it revived, but he had seen two Governments coming forward to oppose a Corn-law, they had then joined to support; he had seen the right hon. Gentleman not even pledge himself beyond the present year to maintain a law which he had only passed in the last; and he had seen Members on both sides of the House showing such a strong and growing opposition to the Corn-law, that he was convinced it could not last. He entertained a strong opinion that no class in the country was so deeply interested in a change of this law as the farmers: he believed that if the law of 1815 had never been passed, they should at this moment see agriculture in an infinitely advanced state. He believed that if any system would be more injurious to any employment of capital than another, it was a constant change, which led persons to have no confidence in the permanence of the existing law. And this injurious consequence had been aggravated by the farmers being taught to look, not to their own exertions, but to the Legislature, to secure them a certain price, which it was thought to be equally its duty to maintain. And here he must refer to one argument in favour of a totally free trade in corn which had not been noticed. It appeared to him that when the farmers were placed under the new system, and when rents were adjusted, the farmers themselves would be in a better position under a perfectly free trade than, perhaps, even under a fixed duty. Suppose 2,000,000 or 3,000,000 quarters to be the permanent amount wanted from abroad; then supposing that in that case the production of any one year were to exceed by that quantity the production of average years, the farmer would be relieved by the exclusion of foreign grain during that year, but if under the prohibitory system any surplus production took place, the farmer was not able to dispose of it either at home or abroad, and the consequence was a ruinous depression of prices, the consumer not being able to consume much more in a plentiful year than in any other. Although he should probably vote in a small minority at the present moment, he did not feel any despondency; the relief must be afforded, and he only trusted it would not be so long delayed as to inflict serious injury on the permanent interests of the country.

Sir *Howard Douglas*, Sir, it was not my intention to trouble the House on this occasion, but the hon. Member for Dumfries has put a question to me, which it is not my intention to evade. Previously, however, to answering that question, I beg the permission of the House to make a few observations. I shall not take up the time of the House by going into the intricate questions, which, more or less govern the relations between the price of labour and the price of food, the effects of depression in the value of farm produce, on rent, agricultural improvement, and home production. I shall only assert, what no one can dispute, that a total repeal of the Corn-laws would displace, to an unlimited extent, British grown corn in the home market. This, the free-traders must admit, for if repeal did not act thus, it would not, as according to their theory, induce, or as they assert, compel, foreign governments to displace the productions of their manufacturing industry in their own markets, by admitting freely the productions of British manufacturing industry, in exchange for their surplus agricultural productions. If the total repeal, is not to displace British grown corn, by foreign grown corn, in the home market, what becomes of the theory of contemporaneous and coextensive exchange, even if this should be reciprocated by foreigners; and if this displacement be effected, whether reciprocated or unreciprocated, what is to become of British agriculture? I have, on former occasions, asserted, and no one will now attempt to dispute this, that foreign nations will not receive, freely, British manufactures, in exchange for their surplus agricultural produce, even if we were to receive it free, as the repeal proposes. Under these circumstances, the repeal of the Corn-laws, would doubly defraud British labour; it would displace the productions of British labour, in the home market, by the absence of protection; and it would exclude British productions from foreign markets, by the existence of protection there. There are not two sorts of free-trade. There cannot be a perfectly free foreign trade, and, at the same time, a protected home and colonial trade. We must make our election which to prefer. We cannot deprive the home producer of food, of the benefit of protection, by the repeal of the Corn-laws, to reduce the price of the productions of his industry, without a corresponding action upon all other productions, by which to give the agriculturalists the reciprocal compensation, of cheapening, to them, all other productions, by free foreign competition likewise. Free-trade in corn, then, means, and must be followed, if not immediately at least speedily, and inevitably, by free-trade in every thing else. This, therefore, is a large question, affecting the interests, not of any particular class, but of the whole community, and of vital importance to the empire. So far from relieving the distress which has unfortunately prevailed among the labouring population of this country—so far from preventing the recurrence of those vicissitudes which, if not past, are I trust passing, the total repeal of the Corn-laws would vastly aggravate all existing evils, and produce others of the most formidable descriptions. And now to answer the question which the hon. Member for Dumfries has put to me, whether I have not recently received a mandate from a meeting of the Anti-Corn-law League, at Liverpool, calling upon me to support the motion of the hon. Member for Wolverhampton, and what answer I have returned to that communication. Sir, on the grounds which I have stated, I have replied, that, asserting the right, which I told the electors of Liverpool I would always exercise, of acting as their free representative, and not as their delegate, and convinced of the truth of what I am now asserting, I not only would not support the motion of the hon. Member for Wolverhampton, but do every thing in my power to defeat it: believing that not only the agricultural, but the manufacturing interest, and all other interests, would suffer, immeasureably and permanently, were this motion carried. I trust I know in what way agriculture, manufactures and commerce, act and react, upon each other; that they are closely interwoven; that neither can suffer any serious depression, without affecting, prejudicially, the others; but then I know that agriculture is the root of all; and that if its root be sapped, and its branches whithered, no other branch of our national industry can flourish; and that no greater evil could befall the manufacturing interests in particular, than the depression, or supersession of British agriculture, by an unlimited importation of foreign corn. I know the difference between the effects of cheapness of food produced by abundance of home production, and that cheapness which results from unlimited foreign importation. The one quickens, the other deadens, the home market. England is England's best customer. The home market, says Adam Smith, is the best of all markets, and should be preferred to all, and Huskisson terminates a powerful passage in one of his best speeches, which I will not read fully to the House, by saying, "that to protect the small farmer, is ultimately to protect the people." The free traders opposite, however, persist in repudiating all protection; they say they have no protection, and that they desire none. This may be all very well for the cotton spinners, and the cotton printers; they may, if they please, desire to renounce the vast advantages of a home market, for the consumption of about 28,000,000*l.* sterling of their cottons; but what say the other interests? First of all the cotton manufactures, as well as all others, have protection in the colonial market, and in the home market, without which they could not compete with foreigners. What say the shipping interests? I call upon the representatives of that great national interest, in this House, to state, whether, to withdraw protection any further from British shipping, for the purpose of buying freight cheap, would not subvert the maritime power of England? Adam Smith says, "that the navigation laws are the wisest of all the laws of England, inasmuch as security and power are better than opulence." What say the hardware interests, represented by the hon. Members for Sheffield? I call upon them to answer me? The value of hardware, of all sorts, wrought and unwrought, exported in 1841, was about 6,600,000*l.* sterling; but the value retained for home consumption was upwards of 11,000,000*l.* sterling. What say the leather interest, of whose productions about 432,000*l.* only was exported, and 13,0000,00*l.* consumed at home. The linen interests, of whose productions 8,000,000*l.* worth were retained for home consumption, being double the amount of the value exported. Then books, printing, paper, what say these interests? Of these, 14,000,000*l.* worth were retained for home consumption, and not half a million exported. Of the productions of our silk industry, 6,000,000*l.* worth were retained for home consumption, and not near a million in value exported. Of china, glass, and earthenware, only 1,000,000*l.* value was exported, whilst 4,000,000*l.* value were retained for home consumption. Of saddlery and plate, 3,000,000*l.* value were consumed at home, against about 200,000*l.* exported. Of many miscellaneous articles, which I have classed together, 25,000,000*l.* value were consumed at home, against about 8,000,000*l.* value exported. And then the mining interests, what say they? Where are now the Members opposite, who advocated so warmly their interests in discussing the tariff last year? do they repudiate protection, with respect to the 21,000,000*l.* worth, at which the total produce of British mines is estimated, of which no less than 17,800,000*l.* value were retained for home consumption? And how much, I ask, of all this enormous value consumed in the home market, would continue to find profitable consumption and active reproduction, if free and unlimited importation of foreign articles, of like kinds, were permitted? It would produce the most unmitigated misery. I feel convinced that the distress which still prevails, is in great part owing to our having opened the sluices for the regulation of trade, a little too freely. I believe that the depression in the value of British labour, in relation to foreign labour, and the consequent deterioration in the physical and moral condition of the British labourer, arise from foreign competition; and that free-trade would still further depress British labour not only to, but beneath the level of the most wretched foreign serf. But free traders, reckless of all this, insist upon going on, reducing the price of production, labour one of its elements, to buy cheap, without regard to the country of origin, growth or production, for that to buy cheap, is to sell dear; and here I must advert to the manner in which the right hon. Baronet at the head of her Majesty's Government is frequently taunted with his observation on the advantage of buying in the cheapest market, as if, by this, he went all the length of their theory of buying cheap without regard to the country of origin, growth or production, or as to the nationality of the vessels employed in carrying. The right hon. Baronet's observation is a mere abstract proposition; a truism not to be denied. But I deny that, to buy cheap, is necessarily to sell dear, in an economic sense; and I assert that, in a national sense, this must very often be political prodigality; because it would be prodigal of security and power. In the practice of buying and selling, there must be two parties; each buys as cheap as the other can afford to sell, and sells as dear as the other can afford to buy; and these transactions, compounded together, bring out something like the exchangeable value of the subjects of the transaction. I by no means assert that we should refuse to buy any articles or materials which we can produce at home; because that, carried out to its extreme, would put an end to all external trade; but between this extreme, and the extreme of abolishing protection altogether, we should regulate our intercourse with foreign nations, by reciprocal engagements for a fair exchange of each others surplus productions, on principles of mutual advantage. The hon. Member for Sheffield (Mr. Warde) does not deny the existence, and the stringency of foreign tariffs, nor the advances and indications which we have made to foreign nations, on several occasions, to relax our several restrictive and prohibitive enactments on the principle of reciprocity, but which no foreign nation has fairly met. The hon. Member says that we began this too late: that in 1815 we had the whole game in our own hands; that the foreign protective systems were not then in existence, and that we might then have moulded our trade to suit our own purpose, by deterring foreigners from adopting the manufacturing system. This is a very great mistake, as I think I have already shown. The French protective system is at least as old as 1646. Colbert extended it in 1665. Then came Napoleon's continental system in 1806; his decrees in 1807; the establishment everywhere in France of that remarkable institution, which is now so stringent, a sort of commercial legislation, organized throughout France and centralized in Paris, namely, the Chambers of Manufactures, Commerce, and Agriculture, with the supreme councils, general and consultative, which must be consulted before any measure affecting commercial policy be propounded to the Legislative Chambers, and which advice no Government in France will dare to disregard. These remarkable institutions had their existence even before the Revolution; they were confirmed and extended in the year eleven of the Republic; affirmed by Louis 18th at the Restoration; made more efficient by Charles 10th; and never were so stringent, as now, under Louis Phillipe. I have already shown that the protective system in the United States, had its origin in Washington's time, and has been recommended by, and prosecuted under, every President, downwards to the present time;

and I need not say how stringent the United States tariff is now. Then, with respect to the German League, Prussia being its primary, the protective system was introduced by Frederick 2nd. In Austria it is as old, at least, as Joseph 2nd. But I will not take up the time of the House in reviewing more of these. I repeat my assertion, that the foreign protective systems, from the rivalry and competition of which we are now suffering, were all established, or commenced, anterior to any discussions of this nature in this country; that they were interrupted in their progress by the war—that it was our naval superiority that broke down Napoleon's continental system; and that nothing that we could have done in 1815, would have prevented foreign nations from reverting, at the peace, to their principle of manufacturing for themselves, and that it is utterly out of our power, do what we may, to arrest the progress they are making, in rivalling us. I speak on the authority of sound practical men, when I say, that what this country now wants is not free-trade, but steadiness and confidence in the stability, at least for some years, of our commercial policy. We have abundance, superabundance of wealth; money, its symbol, seeking conversion into active capital, at the lowest rate of interest ever known, but cannot find profitable employment: labour languishing, and even famishing, for work, and cannot find it. The great problem we have to solve is, to bring these extremes together. What capitalist will adventure to do this, under the agitation, the assurance, or at least the dread, of perpetual change. Practical men of all theoretical persuasions deprecate any further change. The opinion of the present President of the United States, is no bad authority on this subject.—

> "It cannot be too often repeated, that no system of legislation can be wise which is fluctuating and uncertain. Fitful profits, however high, if threatened with a ruinous reduction by a vacillating policy on the part of Government, will scarcely tempt the capitalist to trust the money which he has acquired by a life of labour upon the uncertain adventure."

For myself, were I disposed to go further, which I am not, in the way of free trade, I should remain firm in my vote against any further change, until all agitation and excitement shall have ceased, and until the practical effects of recent changes, shall have been proved. I shall not allude to certain farces and other proceedings in appropriate quarters; but I may refer to the proceedings of a recent tea-drinking visit with which the League have favoured Liverpool. In a discourse made by the hon. and learned Member for Bolton, upon that occasion, adverting to a late stupendous explosion, which blew up one of the far-famed cliffs of Albion, the learned Member made a very significant allusion to the popular action by which, it appears, the mountain mass of monopoly is to be blown up. The learned Gentleman said,—

> "And what had the people been doing? They, too, had been digging under the basis of the mountain mass of monopoly. There were many magnificent sights in nature—the heaving of the sea, the rise of the sun—but in his view, nothing was so great, nothing so noble, nothing so exalting, as the heavings of the popular mind; and here he witnessed one of its noblest efforts."

Now will the learned Doctor say, what are to be the ingredients of his political gunpowder. It cannot be compounded of reason, moderation, and sense, because these are not explosive in their nature; they act benignly, not destructively, gradually; not violently and suddenly. How, then, are these mines to be charged?—per adventure by physical force — where? How? By a species of political electricity, fired by animal magnetism! But really, Sir, this is too serious a subject for jesting. We see, however, that it is determined to try, by popular agitation and excitement, to bring all monopoly, as it is called, to a sudden end. This only I shall say, in conclusion, that the repeal of the Corn-laws, followed as it must be, by the repeal of all protection, would so alter all the relations between debtor and creditor, whether individual or national; so depress the price of all commodities, and raise that of money; so alter all the relations between landlord and tenant, master and servant, mortgager and mortgagee, national and individual, as to render it absolutely impracticable to raise taxes to pay the interest of the national debt, and to provide for active revenue purposes; and that bringing monopoly, as it is called, to a sudden and total extermination, as the Leaguers propose, would bring national credit to a violent death, and this great empire to an untimely end.

Mr. *Muntz* said, the hon. Baronet (Sir H. Douglas) was right. We did want confidence and stability, but the hon. Gentleman had not condescended to tell where that confidence and stability were to come from. Was it from a starving population? Was it from an unprofitable trade and a sinking revenue? He could see nothing in those to give confidence or stability. It had not been his intention originally to take part in this debate. His intention had been to give a silent vote in favour of the motion of his hon. Friend, the Member for Wolverhampton. He would give that vote, not because he objected to the protection claimed by hon. Gentlemen on the other side, not because he thought that protection too large, but because they took that protection upon principles which were not in accordance with right, or the principles of Christianity, because they protected themselves without protecting others. He had listened most attentively to the course of the debate, but he had yet to learn why they required protection for one class of the community more than another, and he was no more instructed now than at the commencement of the debate. They denied protection to labour. He admitted, that it was partially protected. But let them look at the protection of all those concerned in the export trade. He had read over the debate of 1815, when the Corn-laws were first enacted, and it confirmed him in his convictions on this subject. They, the then supporters of the intended Corn-laws, said, that by fixing the price of corn, they would fix the price of labour. Now, he asked them, had they fixed the price of labour? If they had, they would have done what was just, upright, and honest. If they had no trade, but an internal trade, they might have protected and fixed the price of labour, by fixing the average price of corn. But let them look at the variation in the price of labour now, and that of 1815. Let them look at the difference between the labourer for the home market, and the labourer for the foreign market. Let them look at the labourers who were employed on home labour, the carpenters, masons, bricklayers, &c., who were wholly employed on home labour, and they would find their wages had not been reduced more than one-fifth in the last twenty-five years; but contrast their condition with that of the labourers who were employed in Birmingham, at the artisans who were employed in manufactures, the production of articles of export; their industry was not protected, they were forced to compete with the labourers of the continent, and their wages were not reduced one-fifth, but to one-fifth. Their wages were reduced four-fifths. Labour was not protected. It had been said, that the Corn-law was not a Christian law, and he believed it. No law could be a Christian law, that did not support the interests of the poor in preference to those of the rich. It was a fundamental principle of Christianity that the poor should have the preference. Now, he would ask, if the poor had the preference in the enactment of the Corn-law? He would ask, if they had the preference in the general legislation of the country? They had not. Whenever a new law was passed, there was always a leaning in favour of the rich. It could not be expected to be otherwise. Who made the laws? It was the old fable of the lion and the man. The lion said, let us make the statue, and we will make the lion striding over the man; and so long as the rich alone made the laws, they would naturally lean to their own interest. He did not charge hon. Members with an intention of doing wrong. He had no idea, that the Members of that House wished to do wrong to the people. He believed, that the great majority of them wished to do right, but they were mistaken, and that led them into the passing of laws which were most unjust. One reason for his speaking was, that he had been frequently referred to in the course of this debate. He did not object to have references made, either to what he had said, or to what he had written. He never either said or wrote anything which he did not believe to be true, and he never recommended any one else to submit to what he would not willingly have done himself under similar circumstances. He had heard many remarks from gentlemen representing constituencies nearly as large as his own, all bearing witness to the great distress existing among them. It had been said, that that distress was diminishing. Now, it was his duty to his constituents to state, not only that the distress in Birmingham had not diminished, but that there was not the least prospect of its diminishing, it was continually increasing. He spoke this from his own knowledge. There was not a single article connected with the trade of Birmingham that was not cheaper now than it it had ever been. There was not the remotest appearance of improvement. In general, a purchaser had but to name his own price, and at that price he might purchase the article. It had been said, that trade was improving in Manchester. He had been surprised to hear it, and he had taken pains to make inquiries on the subject; and in answer to those inquiries, he found that, with one exception, every person he asked believed the improvement to be speculative, and that in reality every branch of trade was in a state of stagnation. What had caused the appearance of improvement was the speculative demand, a demand without any foundation—for goods for the India and China market. He had seen a gentleman who had left China only last November, and that Gentleman had entirely corroborated the views which he had previously entertained as to the prosperity of the trade with China. That Gentleman said, that so far from our trade with China being likely to increase, it would most probably contract; and the reason given for that opinion was one very easy to understand. The increase in trade during the war had been very considerable, and the reason of it was this: in consequence of the war the prices of tea had advanced, and in consequence of that advance in price, the exports had been greater than usual, and an increase of trade had been the consequence. Our goods, indeed, had not been introduced by our own houses, but they had been introduced through the American houses, and those houses had received a commission. Now, the trade would be lessened from the reduction in the price of tea, and the payments the Chinese had to make to us would diminish the power of purchasing. There were also other circumstances to be taken into the account of far greater moment, and deserving the most serious consideration of both the House and the Government. We were completely superseded in the article of common woollens by Russia, which could supply them by land cheaper than we could —while domestic cloth could be furnished both to India and China at a cheaper rate by the Americans than they could by ourselves; for the Americans were at this moment successfully competing with our last year's lowest prices of domestic cottons in Calcutta and Bombay, although they paid an extra import duty there; therefore, the trade now engaged in was a speculative trade, occasioned by the cheapness of the raw material, and the low value of money, and not by any legitimate demand, and therefore he thought that it would occasion loss to the parties concerned in it, and be of no benefit to the country. With reference to what had fallen from the right hon. Gentleman, the Member for Kent, as to the prior claim of the landlords to protection, because they had to make settlements on their daughters, surely he could not be serious; the right hon. Gentleman ought not to forget that they all had daughters as well as himself. Surely, that was not an argument for upholding the Corn-laws. There had been only one other noticeable speech on the other side, upon the subject of an individual right to protection, and that was the speech of the right hon. Gentleman at the head of the Government. He was sorry to find so much sophistry in that speech upon a subject of such a serious nature. He would, with the leave of the House, take the right hon. Baronet's grounds *seriatim,* and endeavour, by a little common sense to unrobe them of their superficial clothing. In the first place, the right hon. Gentleman said, that the tithe was a burthen that gave the landed interest a claim to protection. Now, surely the tithe had from time immemorial belonged to the Church. All the land that had been purchased, had been purchased subject to tithe. How that could give a right to protection, he could not understand. Now, there were the rates. He acknowledged that the rates were a burthen upon the land, to a certain extent, but when, as had been stated on the opposite benches that night, it was recollected the much larger number employed in agriculture than in manufactures, it would be found that it was a burthen, but not an exclusive burthen; every class was subject to rates. He himself paid 300*l.* a-year poor rates. Then there was the malt-tax—now how that could be a burthen upon the land, he could not understand. If ever there was a tax that was completely paid by the consumer, it was the malt-tax, and if that tax were repealed to-morrow, the price of barley would not vary a fraction, being really regulated by the import duty and crop. The right hon. Baronet had made a comparison between the malt tax and a tax imposed upon cotton, and had said that the latter would be objectionable, although it would be paid by the consumer; that was true, but did not the right hon. Baronet recollect that a great proportion of the cotton manufactured was exported, to be consumed abroad, and must compete with foreign labour? Then there was the burthen of the poor, who were sometimes returned from the manufacturing districts to the agricultural districts, by superannuation, or illness, or want of employment. He admitted that that was a burthen, but what was that to be put against 50,000,000*l.* per annum, the amount the landed interest acquired from the Corn-laws more than the amount which a free-trade and continental prices would give them? He admitted that that sum was not lost to the country, it did not go out of the country, but he would tell them what was done with it. It was taken from industry and given to idleness—and no man could say that that was a principle of justice or of christianity. The right hon. Baronet had said that the Corn-law in 1836 had not prevented prosperity, and that the present distress was owing, not to the Corn-laws, but to diminished power of consumption. He admitted that the distress was owing to diminished power of consumption; but the right hon. Baronet ought to have gone a step further, and have told them to what that diminished power of consumption was owing. He believed that the right hon. Baronet knew the cause, and he would convict him out of his own mouth, for at the close of the last Session he had said, that he could produce temporary prosperity by an issue of one pound notes; and he agreed with the right hon. Gentleman, that by such means a temporary prosperity might be produced, and also that it would be very temporary. That assertion was uncalled for, and he could hardly tell what could have made the right hon. Baronet volunteer such a statement. If he knew how to produce a temporary state of prosperity by depreciating the value of the circulation, he ought to devise means of making that temporary prosperity permanent. He begged to remind the House, that he had not the slightest shade of party feeling in his composition, neither had he any prejudice against the right hon. Baronet's person or Government; but differing from him as he did, in opinion, upon many very important subjects, he, as a Member of that House, and the representative of a large constituency,—and, he was sorry to have to say, although a very intelligent, yet a very miserable constituency—he was in the habit of taking cognizance of every thing that came before the House, and, he hoped the House considered, in as gentlemanly a manner as was possible. He was not in the House the night the budget was brought forward, and he trusted hon. Members would excuse him if he did just allude to it. The right hon. Baronet at the head of her Majesty's Government had last year spoken very sanguinely of the result of this year's financial proceeds, and the House ought, in considering the budget, to look at his expectations and intentions; but those expectations had not been realised. If it had not been for a property-tax, which brought in 1,500,000*l.* more than calculated upon, and the duties on corn, which brought into the exchequer 1,300,000*l.*, and the China money 500,000*l.*, the revenue would indeed have been miserably deficient. There were two ways of being deceived—one by others, another by yourself, the latter being much the most injurious. He thought the right hon. Baronet had deceived himself, and he thought the budget of this year proved it. How often, during the last two years, had he cautioned the House not to look at the black side of things! How often had he come down, and acknowledged his disappointment that no improvement or reaction took place! And only in the last budget, he had said he would be careful how he expressed himself sanguinely again, after the lesson he had lately had; and yet the House was called upon to expect great things from those who had so constantly and entirely deceived them. He never found the anticipations Government realised, and he had been listening to their sanguine declarations for the last twenty-five years. If they spoke truly, they would do what they never did before. He did not see the slightest probability of improvement in the condition of the people —everything looked black and miserable. There was an increase of crime—less labour—every nation competing successfully with the manufacturers of this country—and with all this, an increase of population. They had been told, and most correctly, by the right hon. Gentleman, the Vice-President of the Board of Trade, that three millions of bullion had already been sent from this country to America, and that if the Corn-laws were repealed, there would be a much greater drain. He quite agreed with this statement. It was a great mistake to suppose that a free-trade in corn would immediately produce an increased export of manufactures. The first payment would be made in the article which paid best to export, and that would be bullion to such an extent, that the bank would be forced to contract the circulation, and reduce our prices even much lower that at present. Then we should have increased exports without profits or remuneration; the Americans having once determined upon having gold and silver money, had acted very shrewdly in increasing their import duties, for by that plan only could they get it; they not only were taking our bullion, but they would take much more, for we must have their produce. Yet, in the face of all this, up starts the hon. Member for Bath, and says it is a mere chimera to expect free-trade to cause an export of gold. He had been forty years in business. He had a fair opportunity of understanding business—manufacturing and mercantile. He congratulated himself on having a habit of looking at things as they were; yet in this House, and in whatever company he went, out of it, everybody seemed to know his business better than he did himself. Every doctor, every parson, and every lawyer, knew the principles and routine of business better than he did, who had worked hard at it for nearly forty years. The hon. Member for Bath had stated a great many things which nobody else believed or would agree to. He had said last year, on the Property-tax debate, that neither credit nor secrecy were of any importance to a tradesman. He might practise very successfully in other courts, but he felt certain he never would succeed in the court of commerce. There appeared something mavellously strange in the word circulation; for he having lately accidentally taken up a book which treated upon the circulation of the blood, was reminded, that when Hervey discovered the circulation of the blood, there was no physician, or apothecary, or barber, that did not endeavour to write down the new discovery. But Hervey was right, and the circulation of blood went on still, not at all affected by these arguments. So it was with the circulation of money. There was a degree of ignorance upon the subject, which was unaccountable, and every barber ridiculed the opinions of those who had studied the subject, although the proper circulation of money was as important to the social well-being, as that of blood was to the body. The right hon. Baronet might legislate as he pleased for the Corn-laws, or against the Corn-laws; but if ever he legislated successfully for the permanent prosperity of the country, without considering corn and money together, he would submit to be called the grossest idiot that ever stood upon two legs. He warned the House and the Government. The handwriting was on the wall. What had passed during the debate convinced him more and more that he was right in his idea—that if they continued the present monetary system, whether they repealed the Corn-laws or not, their estates would be taken from them, and given to others.

Mr. *Cobden* said: I think we may fairly consider the speech of the hon. Member for Birmingham as an episode in this debate. I was going to remark that by hon. Gentlemen opposite, and by many upon this side of the House, although we have had five nights' debate, the question proposed by the hon. Member for Wolverhampton has been scarcely touched, that is, how far you are justified in maintaining a law, which restricts the supply of food to the people of this country. In supporting the present Corn-law, you support a law which inflicts scarcity on the people. You do that, or you do nothing. You cannot operate in any way by this law, but by inflicting scarcity on the people. Entertain that proposition, and you cannot escape it, and if it is true, how many of you will dare to vote for the continuance of the present law? You cannot enhance the price of corn, or any other article, but by restricting the supply. Are you justified in doing this, for the purpose of raising your prices? Without attributing motives to hon. Gentlemen opposite, I tell them, and they may rely upon it as being true, that they are in a false position when they have to deprecate the imputation of motives. We never hear of a just judge on the bench fearing the imputation of motives. But I will not impute motives, although they have been imputed by hon. and right hon. Gentlemen opposite. Dowries, settlements, mortgages have all been avowed as motives from the benches opposite; but I will take things as I find them. Upon what ground do you raise the price of corn? For the benefit of the agricultural interest? You have not, in the whole course of the debate, touched upon the farmers' or agricultural labourers' interest in this question? No; hon. Gentlemen opposite, who represent counties, instead of taking up the old theme and showing the benefit of this law to farmers and to farmers' labourers, have been smitten with a new light. They have taken the statistics of commerce and the cotton trade to argue from. Will the hon. Member for Shoreham, who took the statistics which the right hon. Baronet (Sir R. Peel), four years ago, cast aside, tell the House how it is you do not take the agricultural view of the question, and show the farmers' interest in it? There is something ominous in your course.

Shall I tell you the reason? Because the present condition of the farmers and labourers of this country is the severest condemnation of the Corn-laws that can possibly be produced. During the whole operation of this law, or during that time when prices were highest under this law, the condition of the agricultural labourers was at the worst. [*Cries of* "*No.*"] An hon. Gentleman opposite says "No." Has he looked at the state of pauperism of this country in the last return which was laid before the House? There he will find that up to Lady-day, 1840, the proportion of paupers in the different counties in this country showed that the ten which stood highest in the list were ten of the purely agricultural counties, and that after your law had for three years maintained corn at 67*s*. per quarter. If anything could have benefitted the labourer, it should have been three years of high prices, and after trade had suffered the greatest depression in consequence of your law. If the agricultural labourer had not prospered up to the year 1840, what has been his condition since? The returns of pauperism show an increase in the number of the poor; and what is the present condition of the labourer in the agricultural districts? Is not crime increasing in the same proportion as pauperism has increased? I heard it stated, that the actual returns of your petty sessions and your assizes furnish no criterion as to the state of demoralization in your districts; nay, I heard that such was the extent of petty pilfering and crime, that you are obliged to wink at it, or you would not be able to carry out the business of your criminal courts. ["*No, no.*"] I heard that both in Somersetshire and in Wiltshire. ["*No, no.*"] Hon. Gentlemen may cry, "No, no," but there is an intelligent audience outside which knows that I am stating the truth. And what are the crimes these poor people are brought up for? Why, one old woman for stealing sticks of the value of 1½*d*. was sentenced to a fine of 15*s*. Another case was a charge for stealing turnip tops; and at Chichester an individual had been convicted of stealing mould from the Duke of Richmond. Such was the state of poverty and distress, that they were glad to steal the very earth. Again, what was the fact urged by the hon. Member for Dorsetshire (Mr. Bankes) in extenuation of the condition of his labouring poor but this? that he allowed them to gather up the sticks which were blown from the trees in his park. It was brought forward as a proof of the hon. Member's benevolence that he allowed his labourers to gather the crows' nests which were blown from the trees; and what does all this argue? Why, it argues that which you cannot deny, namely, that the agricultural peasantry of this country are in a state of the deepest suffering at this moment, and that if there has been any benefit from the Corn-laws, they at least have not derived one particle of a share of it. I now come to the farmer, and I ask how it is that you who support this law have not adduced the case of the farmer? Are there no farmers' friends present who will state his condition? You know that his capital is wasting away—that he cannot employ his labourers—and why? Because that money which should go to pay them is absorbed in your rents. ["*No, no.*"] Hon. Gentlemen opposite cry "No, no," but the farmers of this country will corroborate me, and that you well know. Does the hon. and gallant Member for Sussex (Colonel Wyndham) say "No"? If so, I leave the farmers of Sussex to say whether I am uttering the truth or not. [Colonel *Wyndham:* "Go to Sussex."] The hon. and gallant Member tells me to go to Sussex. I mean to do so, and perhaps the hon. and gallant Member will meet me there. Now, I want to ask what benefit the farmer ever derived from the Corn-laws? I have asked the question of hundreds, nay thousands of farmers, and as I am now in the presence of landlords, I ask it of you. I ask you to go back to the Corn-law of 1815. What was the object of the Corn-law of 1815? Why, to keep up the price of wheat at 80*s*. per quarter. Did it produce that effect? No, for in 1822, seven years afterwards wheat was sold as low as 42*s*., and yet your agents and valuers valued to your tenants upon the calculation that they would get 80*s*. per quarter for their wheat. You cannot deny that? And what was the consequence? Why, in 1822, the farmers were ruined by hundreds, and thousands. One newspaper in Norwich contained 120 advertisements of the sale of stock in one day. The farmers then came to ask you for another law. You appointed committees, you went through the farce of inquiring into agricultural distress, and you passed another law, that of the year 1828, giving the sliding-scale protection to secure them 64*s.* per quarter for their wheat; and then, again, the red-tape men went about to value your farms on the calculation that the price obtained would be 64*s.* Another seven years elapsed, and then wheat was selling at 36*s.* Then came general distress again, and an application for a fresh committee. You gave them another act; and I now come to the act passed in 1841 by the right hon. Baronet at the head of the Government, and now the farmers are again distressed, and blame the right hon. Baronet for deceiving them. [" *No, no.*"] They do blame, and they are justified in blaming the right hon. Baronet, and I will tell you why. The right hon. Baronet in the speech in which he proposed that law, said that he intended it to give to the farmer, as far as legislation could give it, 56*s.* per quarter for his corn. Now, the right hon. Baronet will remember that I called his attention at the time to that point. I saw the importance of it then, and I see it now, and I wish the House to see clearly how the matter stands. The right hon. Baronet said, that on taking a comprehensive view of the cost of production and the then state of the country, he thought if he could secure the farmer a price not rising higher than 58*s.* nor going lower than 54*s.*, that these were about the prices the farmer ought to obtain. It is true, that afterwards, in the course of the same speech, the right hon. Baronet said, that no legislation could secure that price. Now, I do not charge the right hon. Baronet with intending to deceive the farmers, I do not attribute motives to the right hon. Baronet; but this I do say, that in dealing with plain and simple men, men accustomed to straightforward and intelligible language, this was calculated, however intended, to mislead the farmers in their calculations. But it was a most convenient thing for the landlords to go to the tenant with a promise to secure him 56*s.* per quarter for his wheat; and it was very convenient for the right hon. Baronet to say, at the same time, that though the law purports to give you 56*s.* per quarter, still I have not the power to secure it to you. And now, what is the price? 45*s.* or 46*s.*, instead of 56*s.* The right hon. Baronet distinctly says now, he never intended to maintain the price, and that he could not maintain it. Now, then, I ask, what is this legislation for? I ask what it means?—what it has meant from 1815 downwards? I will not say what the motives of its promoters have been; but the effect has been one continued juggle played off upon the farmers, enabling the landlords to obtain artificial rents, which, being paid out of the farmer's capital, occasions loss to him, while the landlords are enabled to profit by it owing to the competition among tenants for farms. We will not separate this night until we have a perfect understanding of what you do propose to do for the farmer. I ask the right hon. Baronet opposite, when he talks of the prices which the farmers should obtain, whether he can prevent wheat from falling as low as 36*s.*?—whether he can ensure it from falling as low as 30*s.*? As the right hon. Gentleman says nothing, I will assume that this House cannot secure to the farmer a price of even 30*s.* per quarter. Let this go forth; let there be, if you please, no ambiguity upon the point—no more deception; let the farmer perfectly understand that his prosperity depends upon that of his customers—that the insane policy of this House has been to ruin his customers, and that acts of Parliament to keep up prices are mere frauds to put rents into the landlords' pockets, and enable him to juggle his tenants. Now, we shall soon be able to dispose of some other sophistries upon the Corn-laws. We are told that the Corn-laws are intended to compensate certain parties for excessive burthens. That is to say, that the landowners, who have had the absolute command of the legislature of the country, and who, to a late period, did not permit a man to vote unless he swore he was a land-owner,—have been such disinterested angels (for no human beings would do as much) as to lay excessive burthens upon their own shoulders; and when they found it necessary to re-adjust taxation and relieve themselves, they do it by passing a Corn-law, and then come forward and confess that the law is inoperative. Now, in the first place, I say that the disinterestedness of the landlords in this instance surpasses all human perfection; it is perfectly angelical. But, unfortunately, the contrary to the proposition of excessive burthens falling on land is so notorious that to say a word upon the subject would be a work of supererogation. Let a copy of the statutes be sent, if it were possible, to another planet, without one word of comment, and the inhabitants of that sphere would at once say, "These laws were passed by landlords." The partiality of your legislation is notorious; but, if you had been really so disinterested, is it not likely, when you found out your real condition, that you would have put taxation fairly upon the shoulders of the people, instead of substituting a clumsy law, which you admit does not reimburse you at all? Now we come to another view of this question. We have the confessions of the right hon. Baronet the Paymaster of the Forces, (Sir E. Knatchbull), and of the hon. Member for Wiltshire, (Mr. Benett,) the one to the effect that the Corn-law goes to pay marriage settlements, and the other that it goes to pay mortgages. Now, if it goes to pay these, how can it pay the farmer? And if you can't insure the operation of the law, if after you have passed it you are obliged to confess that you cannot insure its operation, why, then, who pays the dowries and the settlements? Why, in that case, they must be paid out of the pockets of the farmers. You have confessed that a law cannot secure prices, but as mortgages and settlements are paid, then I say that you have confessed that the money comes from the farmers, and surely this is sufficient to account for their distress. I contend, then, that if this law creates a profit at all, that profit passes into rent. And this proposition rests on more than the admission of the Paymaster of the Forces, or of the hon. Member for Wiltshire. We have other acknowledgments of the fact coming from still higher authority. See a transaction of Mr. Gladstone, of Fasque, in Kincardineshire, of which I have an account in a paper in my pocket. Mr. Gladstone was applied to to reduce his rents, and he writes a letter to his agent telling him, and his confession is worth something, as coming from a prudent and sagacious merchant, telling him that he did not look at the alteration in the Corn-law as calculated to reduce prices, and that consequently he did not feel himself bound to reduce his rents. Now this is a clear admission that the benefit from the law goes into the shape of rent. But this is not all! There is his Grace the Duke of Richmond. The other day he was visiting his tenants in Scotland, dining with them, and looking over his estates, and in one of his speeches he told them, whilst speaking of the alteration in the Corn-law, that he was not the man to hold his tenants to any bargain they had made under circumstances which had been altered, and that if they wished it he was willing that they should throw up their leases and return their farms into his hands. Now what does that amount to? Why, merely that the Corn-law influences the rent! It means that or nothing; although I must say such a speech shows very little care for the farmer, who perhaps a dozen years ago purchased stock and went into his farm, and is now told, when probably the price of his stock has fallen 40 per cent., that if he pleases he may sell off, leave his farm, retire from his connexion with the noble Duke, and get another landlord where he may. All this shows, then, that if the Corn-law operates to cause a profit at all, it also operates to put that profit into the pockets of the landlord. Now do not suppose that I wish to deprive you of your rents; I wish you to have your rents; but what I say is, don't come here to raise them by Legislative enactments. I think you may have as good rents without a Corn-law as with it, and what I say is this, that when you come here to raise the price of corn under the pretence of helping the farmer and the farm labourer, whilst in reality you are only going to help yourselves, then, I say, you are neither dealing fairly by the farmer, nor yet by the country at large; and, mind me, this is just the position in which you stand with the country. You have deceived the farmers, and, feeling that you have deceived them, they have a right to ask, how you intend to benefit them?—nay, more, they have a right to inquire into your rentals, and find out how you have benefitted yourselves. ["*Oh, oh*!"] Yes, I say they have a right to inquire into your rentals. [*Laughter.*] The hon. Member for Sussex (Col. Wyndham) laughs, and truly it would be laughable enough were he to come to me to inquire into the profits of my business; but, then, he should remember that I do not ask for a law to enhance the profits of my business. He, on the contrary, is the strenuous supporter of a law which, in its effect—whatever may be its intention—benefits his own class and no other class whatever. This language, I dare say, is new to the House. I dare say it is strange and unexpected in this place; but it is the language I am accustomed to use on this subject out of doors, and I do not wish to say anything behind your backs that I am not prepared to say before your faces. And here let me ask what progress has been made in rents? Since 1793 rents in this country have doubled. I have returns in my pocket sent in by the clergy of Scotland, from which it appears that the rental of that country has increased in the same time three-fold. [*Hear.*] In England rents have not increased to that extent; but I can say with safety that they have more than doubled; [*Hear, hear*;] and there is something beyond even this. You have had a considerable advance in rents since 1828. There has been a great rise since that year. I hold in my hand a return of the rents of the corporation lands of the city of Lincoln since 1828. I see the hon. Member for Lincoln (Colonel Sibthorp) in his place. Now, I have a return of the property of the city corporation, it is nearly all agricultural property, and I find that that rental has increased 50 per cent. since the year 1829. Now, I do not say that the whole rental of the kingdom has increased in the same proportion, but I do say that we have a right to inquire what is the increase in that rental. [Colonel *Sibthorp.*—" But I won't tell you."] The hon. Member for Lincoln says he won't tell me; but I will tell him that nothing is so easy as to learn the history of rents in this country, for there is scarcely a village in England in which there is not some old man who can tell what was the price of land in his parish through many succeeding years. I say it is the business of the farmer and the poor labourer to know the progress which rents have made since the Corn-law passed, and if they find that whilst in the one case they are losing all their capital, and in the other their condition is deteriorating, and they are obliged to put up with a potatoe diet; if they find, I say, that whilst this has been going on, rents have increased and are increasing, then I contend, they will have a proof that this law was passed for the landlords, and that it operates for their benefit and their benefit only. I know that this is a sore subject; but I am bound to make it known that this is not the only way in which you have profited by political delusions. I will now show you another view of the question. You have made the Corn-law the subject of political outcry in the counties. You have made it a Church and State question, and at the same time you have made the farmers your stepping-stones to political power. And for what has this been done? I will take the last general election. At the last election the " farmers' friends" were running through the country, and with the purest and most disinterested intentions, no doubt, were making all sorts of promises to the agriculturists. " Well," said the hon. Member, " well there they are." There they are, some of them sitting on the Treasury Bench. The right hon. Baronet at the head of the Government (Sir R. Peel), he made a speech at Tamworth as " the farmers' friend." The hon. Member for Essex (Sir John Tyrell) says he quoted it repeatedly, but I don't think he quotes it now. As for the right hon. Baronet, however, with all his ability, and with his thirty years' Parliamentary experience, he might probably have obtained the situation he now holds whatever might have been the circumstances of the time. The post was due to him, perhaps, for his talents; so of him I shall say no more just now. But there is another right hon. Baronet very near him; I mean the Paymaster of the Forces (Sir E. Knatchbull). There is no disturbing force in him. The right hon. Member is the " farmers' friend." There he sits. O I was struck the other night at the fervour with which the hon. Member for Wallingford (Mr. Blackstone) apostrophised this " farmers' friend," when, with clasped hands and uplifted eyes, he said, " O if the Paymaster of the Forces were himself again! A few years back he would not have treated the farmer so." [*Cries of* " Question."] Question! ay, it is not a very pleasant one, certainly; but it is the question. I don't complain of the Paymaster of the Forces; I have no reason. He has made a speech which is more to the point, which is better calculated to serve the cause than anything that has occurred in this debate, excepting, perhaps, his own explanation. I don't complain of him; I pass on. There is a noble Duke (Duke of Newcastle) who is a " farmers' friend," and he has a son (Lord Lincoln) in the woods and forests. The noble Lord, I dare say, performs his duty efficiently; but I want to show the farmers of England—of whom there is not one genuine specimen in this House—who they are who profit by this law. Well, then, there is a noble Duke (Buckingham) who is the " farmers' friend" *par excellence.* He has reached the summit of rank already. He has no son requiring a place under Government. But one prize he had not, and that he soon obtained—I mean the blue ribband. Now, these are but the outward and visible signs of the gains of this triumph; but whilst all this patronage, and all these honours have been showered on the "farmers' friends," what have the farmers got themselves? [*Cries of* "*Question.*"] You think this is not the question, but I can tell you we have no hope of the salvation of the country but by showing the farmers how you have cajoled them. You taught the farmers to believe, that if they elected you, their "friends" to Parliament, you would speedily repay them for their trouble. They allowed themselves to be driven to the poll by their landlords who raised this cry; they believed the landlords could by act of Parliament keep up the price of corn. Will you now confess that you cannot? You have confessed by your silence that you cannot guarantee the farmer even 30*s*. a quarter. That delusion is at an end. How is it now, that the farmers cannot carry on their business, without political intermeddling, like other people? "Throw the land out of cultivation" by removing the Corn-law! who say that? The worst farmers in the country. The landlords, rather, of the worst farmed land. Who tell us that the land will not be thrown out of cultivation? The landlords of the best farmed land. I put one prophecy against the other. (I do not think we have anything to do with them). Let the question be decided as are other matters, by competition. I object to your pretences for keeping up the price of corn. Those who are most rampant for protection are the landlords, I repeat, of the worst farmed land, the Members for Wilts, Dorset, Bucks, Somersetshire, and Devonshire—the worst farming in the kingdom; and why is it so? Not because the tenants are inferior to those elsewhere—Englishmen are much the same anywhere; but the reason is there are political landlords, —men who will not give their tenants a tenure, but with a view to general elections. [*No.*] You say, "No," but I will prove it. Go into the country yourselves, and where you find the best farmed land, there you find the longest leases. The Lothians, Northumberland, Norfolk, Lincoln. [Colonel *Sibthorp*: "No, no."] What, no leases in Lincolnshire? [Colonel *Sibthorp*: "Not long leases."] Exactly; I mentioned Lincoln last as being nearer south. Well, on the estates of the Duke of Northumberland, for example, you will find no long leases, and the worst farming; and you will find with long leases good farming even in the midst of bad—and *vice versâ*. This is unpalatable of course. ["*It is not true.*"] Hon. Gentlemen say it is not true. I ask them if they expect farmers to farm well without long leases? Can you really expect tenants to lay out capital in draining and improvements without long leases? I should feel insulted if any body offered me a farm, expecting me to lay out money without the security of a lease. What is the language of the farmers themselves? You must not treat them now as if they believed you "the farmers' friends." Did you hear the petition I presented from Dorsetshire, agreed to at a meeting of 3,000 farmers and others, and signed by the chairman, a landholder, for the total repeal of the Corn-laws? This could not be treated as a farmer's question. We will have it put upon a proper footing from this very night. The Corn-law, if it does anything, raises rents. I do not come here to tell you it does so. I do not think you understand your own interests. But I know this, that you inflict the greatest possible amount of evil upon the manufacturing and mercantile community, and do no good to either the farmer, or the farmer's labourer. It may be a very unpalatable question; but what, I ask, are the terms which you wish to make on the new law with your tenants? I do not like the language I have heard upon the subject from landowners. The right hon. Baronet (Sir R. Peel) said, the protection had been reduced; but I have heard little talk, at least in public, about reducing rents. However, I have heard a great deal about the farmers "improving, and curtailing their expenses." What says the Member for Worcestershire (Mr. Barneby)?

> "I have been in Yorkshire, and the worst land there produces as much as the best in this country."

What, again, was the language of a noble Earl (Verulam) at St. Alban's?

> "You must no longer sit before your doors with your pipes in your mouths, and drinking your ale, but you must at once bestir yourselves."

What said the Member for Somersetshire (Mr. Miles), who sometimes appears here in the character of the "farmers' friend?" that

"In Scotland they have double our crops, and that this might be secured in this country by improved husbandry."

Now, this is not fair language on the part of landowners to farmers; for if protection be reduced, the farmers have a right to reduced rents; and if not, let us hear what is the intention of the Corn-law? We have heard a great deal of ambiguity, during the debate, from the right hon. Vice-President of the Board of Trade (Mr. Gladstone), but we have not yet heard what the Corn-law and the tariff have done. At one time we hear an avowal of reduced prices; next (like putting forward one foot, and then withdrawing it, and advancing the other to erase the foot-trace) we hear that credit was not taken for that. This might not be intended, but it certainly is calculated to deceive the farmers. But the right hon. Gentleman said, "Whether the tariff has reduced prices or not, prices had been reduced; and there had been no reason to complain." This sort of ambiguity is not the way now to deal with the farmers. Gentlemen must not regard this as a battle between the farmers and the manufacturers. We propose to make good friends with the farmers. Yes; we are their best friends, their only friends, their best customers, and I can tell you this, they are beginning to be sick of the political landlords. There's a small section of this House now setting themselves up as the real farmers' friends, upon the ruins of the old friendship; and I can say this, that so badly have they been treated, that they are now inclined to suspect even these new friends; and they say, "What are they after? Don't you think they want to get up a party? Ben't they wishing to make themselves troublesome to the Minister, that he may fancy it worth while to offer them something?" The farmers are now disposed to distrust every body who promises them anything; and the reason they are ready to look on us with friendly eyes is, that we never promised them anything. We tell them distinctly that legislation can do nothing for them. It is a fraud. They must never allow bargaining for leases and rents to be mixed up with politics. They must deal with their landlords as with their wheelwrights and sadlers, with a view to business and business alone. I am fully aware that I have said more than may be quite agreeable to hon. Gentlemen opposite. I think it is but fair to exculpate ourselves from the imputations that have been cast upon us by the right hon. Gentleman (Sir R. Peel) and the Vice-President of the Board of Trade, that we are seeking for a monopoly for ourselves, as well as to deprive others of their monopoly. Now, what I have to say is this, we want no monopoly; and this I know, that the moment I go amongst the farmers, and say we are for a free trade in coffee, in sugar, in manufactures, in everything, then the farmers like honest and just men as they are, at once exclaim, "That is right, that is fair!" Now I only say this, but I complain of something else. There was a singular evasion of the question by the right hon. Baronet (Sir R. Peel) when he talked of colonial maufactures and colonial produce, and mixed them up with the corn question. Now, what we want is a free trade in everything. Then the right hon. Gentleman amalgamated duties for the purposes of protection, and duties for the purposes of revenue; and he would have it believed that we could not carry free trade without interfering with the Custom-house duties. Now, we do not want to touch her Majesty at all by what we do. We do not want to touch duties simply for revenue; but we want to prevent certain parties from having a revenue which is of benefit to themselves, but of advantage to none else. On the contrary, what we seek for is the improvement of her Majesty's revenue. What we wish to gain is that improvement. We say that your monopoly gives you a temporary advantage, a temporary, not a permanent advantage, and that you thereby cripple the resouces of the revenue. What is the amount of all these protecting duties? The right hon. Gentleman spoke of the Herculean task of sweeping away the protecting duties. I this morning went through the whole of those revenue returns, and how much do you think they amounted to? To two millions per annum, and this included the timber duties, and every other article to which you for your own views give protection. This is the entire question. What is, I ask, the difficulty of abolishing protecting duties on manufactures? How much do they produce to the Customs? Less than 350,000*l.* a year. Then, the right hon. Gentleman has spoken of the cotton trade. How much is paid, think you, for the protection of cotton goods? By the last returns, 8,150*l.* the year. There is no difficulty in a Prime Minister, in a Minister of capacious mind, of enlarged views, of one whose genius leads him to deal with something better than caviare and other trifling articles; such a Minister would, I say, find no difficulty in sweeping away the protecting duties. Then, the right hon. Gentleman spoke of subverting the whole of our colonial system. What does he mean by subverting the whole of our colonial system? We do profess to subvert the colonial monopolies. It is true that we would do that; but that is not subverting the colonial system. What we would do must benefit the revenue and not injure. The equalization of the duty on sugar would increase the revenue, as it has been proved by Mr. M'Gregor, to an amount of not less than 3,000,000*l.* a year. Take away the monopoly and you benefit the revenue. You might, too, do the same with coffee. You might increase the revenue to the amount of 300,000*l.* a year by the equalization of the duty on coffee. Would it be an injury to the colonies that you left them to all the enjoyments of a free trade? Where is the value of our possessions if they are not able to supply us with articles as cheap and as good as they come from other countries? Why they pay us the same price for our cottons as other countries, and no more. If they cannot supply us with sugar, surely they can supply us with something else. There can, then, be no difficulty in the way of the Exchequer of carrying the principle of free-trade. I want the Anti Corn-law League to be known as the Free Trade League. I know that hon. Gentlemen opposite think that all we want to do is to take away the corn monopoly. The public mind is urged on by us against that key-stone in the arch of monopoly; but I can tell hon Gentlemen opposite, that that organization never will be dispersed until there is a total abrogation of every monopoly. There has been a great deal of talk of free trade being theoretically, and in the abstract, right. Does the right hon. Gentleman know what that would lead to? If free trade be theoretically right—if it is as old as truth itself, why is it not applicable to the state and circumstances of this country? What! truth not applicable; then there must be something very false in your system, if truth cannot harmonise with it. Our object is to make you conform to truth, by making you dispense with your monopolies, and bringing your legislation within the bounds of justice. I thank you for the admission that we have a true cause, and armed with the truth of that cause I appeal to the friends of humanity, I appeal to those on the other side who profess and practise benevolence, I appeal to certain Members on the other side of the House, and I appeal especially to a certain noble Lord (Lord Ashley), and I ask him can he carry out his schemes of benevolence if he votes for any restriction on the supply of the people's food. If he should vote against the present motion, I ask him, will not he and his friends be viewed with suspicion in the manufacturing districts? We often hear a great deal about charity, but what have we to do with charity? Yes, I say, what have we to do with charity in this House? The people ask for justice and not charity. We are bound to deal out justice; how can charity be dealt out to an entire nation? Where a nation were the recipients it were difficult to imagine who could be the donors. I, therefore, exhort the advocates of religion, the advocates of education, the friends of moral and physical improvement, to reflect upon the votes which they are about to give. I ask, what will the country say if such Members, patching up a measure of detail, are found voting in the approaching division against the motion of the hon. Member for Wolverhampton? I call upon them, therefore, to separate themselves from those with whom they are accustomed to act, unless they are prepared to lose all the influence which they have laboured so hard to acquire in the manufacturing districts. I call upon them to support the present measure if they hope to be useful. There are 7,000,000 or 8,000,000 of people without wheaten bread. If the people continue to descend in the scale of physical comfort, and to eat potatoes, the hope of moral improvement which the friends of humanity indulge, must be altogether disappointed. The right hon. Gentleman the President of the Board of Trade said, that the importation of 600,000 quarters of wheat would be a national calamity; but how otherwise are the people to be supported? The Poor-law commissioners told them that they must add a county as large as Warwick to the territorial extent of the country, or the population of the land must descend to a lower scale of food. They will go on multiplying, no scheme has yet been devised to stop that. You have attempted to bring down the population to the supply; but the evil which you sought to inflict upon them has recoiled upon yourselves. I have now a word to say to the noble Lord, the Member for London. The noble Lord will not vote for this motion, he says he objects to the repeal of the Corn-laws, but prefers a fixed duty to the sliding-scale. Now, I think the noble Lord has not treated the great party on this side of the House, nor the country, well, in not stating explicitly the grounds on which he would retain any portion of this obnoxious law. He talked of the exclusive burthens to which he said the land was subject; but he did not specify those burthens. I have the greatest respect for the noble Lord, but I venture to tell him that I think it is due to his own reputation, and to the party which acknowledges him for its leader, that he should distinctly state the grounds on which he advocates the imposition of a duty on the importation of corn. As far as I know the feeling out of doors, whatever may be the fate of the motion, however small the numbers in its favour may be, it will not have the slightest effect upon the progress of public opinion on the question. The League will go on as they have hitherto done. In the course of our agitation we may probably dissolve Parliaments and destroy Ministries, but still public opinion upon the subject cannot be checked by the division, whatever it may be, and if there be any force in truth and justice it will go on to an ultimate and not distant triumph.

Colonel *Sibthorp* spoke amidst cries of "Divide." He was understood to say that he had no wish to waste the time of the House, but he had a few words to say in reply to the hon. Member who had just sat down. The hon. Gentleman had referred to the prices paid for land in the county of Lincoln, and he saw by a local paper that the hon. Member threatened to pay a visit to the city which he had the honour to represent. He could assure the hon. Gentleman that he had better make himself much better acquainted with facts before he presumed to go before the intelligent people he would meet there. He had the good fortune to possess property in five different counties, and he could assure the hon. Gentleman that not one of his tenants held a farm upon any lease whatever, and never would; and he could further tell the hon. Gentleman that some of his tenants held the same land which had been cultivated by their great grandfathers, and it had always been held from year to year; and he could further assure him, that the whole of the tenants in the whole of the five counties collectively did not owe him 50*l.* The hon. Member might attempt to disseminate his poison among them, but he would find it a failure. The agitation was not carried on out of any kind feeling for any class, but rather to gratify the ambition of a few, and to lead to their own aggrandizement. Many of the hon. Gentlemen opposite had sprung from nothing. What were they now giving in wages? What did they do for the benefit of their workmen? The farmer was happy if he was let alone. He would do more than many of the manufacturers, for he would contribute fairly to the exigencies of the state—he would revere his Sovereign, respect the laws, and maintain the intimate connexion between Church and State. Hon. Gentlemen opposite and those who abetted them were filled with folly and humbug. They knew nothing of what they were eternally talking of, and the citizens he had the honour to represent were too cautious to be deceived by the machinations, fraud, deceit, and humbug of the hon. Member, or any of his clique. [*Cries of " Divide."*]

Mr. *M. Gibson* would not occupy the time of the House for more than a few moments. His object in rising was to express the earnest wish of his constituents at Manchester, the metropolis of the manufacturing district, that Parliament would agree to abolish the system of protection, both as regarded manufactures and agriculture. He could make every allowance for the right hon. Baronet at the head of the Government declining to carry into practice the free-trade principles which he had professed. If he wanted any excuse for the right hon. Baronet he should find it in what had occurred that night. Who could blame the right hon. Baronet for not carrying out free-trade principles when the great commercial town of Liverpool returned to that House a representative professing such anti-commercial sentiments as the hon. and gallant General (Sir H. Douglas)? Those sentiments struck at the very root of industry. He, however, could tell the hon. and gallant Member, that a feeling in favour of free-trade was springing up in Liverpool; some even of the old freemen had passed resolutions in favour of free-trade; and 42,000 inhabitants of the town had signed a petition to the same effect. The hon. and gallant Member's speech was one of the most anti-commercial he had ever heard. An hon. Member of that side of the House had been blamed for stating that the Vice-President of the Board of Trade had compared the landowners to sinecurist s; but there was nothing new in the comparison, for the *Times* paper had made it before. The *Times* stated, that the Corn-law extended the pension-list to the whole of the landed aristocracy. There was this difference between the two classes, however, it was known that the sinecurist got and enjoyed his money, but whilst the Corn-law worked incalculable mischief to commerce it was by no means certain that it benefitted the landowner or the farmer, in a corresponding degree. As to the analogy between the vested interests of sinecurists and those of landowners, the former class appeared to occupy the most satisfactory position. There was this point in favour of the sinecurists, that Parliament conferred the sinecures on them, while the landlords conferred their vested interests on themselves under the loud and energetic protest of the commercial and manufacturing classes of the community. It was not given by the free voice of the country. The commercial and manufacturing classes were not then represented in this House, and the vested interest established by the landlords in their own favour was without the consent of the rest of the community. The walls of that House were surrounded by artillery to keep the people in check, who surrounded the House to prevent it from passing the Corn-law. It was said that the manufacturers wished to abolish the protection of others and preserve protection for themselves. The right hon. Gentleman the Vice-President of the Board of Trade had stated that some manufacturers had been with him, and had objected to a reduction of duties on their own commodities: those were not manufacturers belonging to the free-trade party. The question was, what the free-trade party were ready and willing to grant as well as to ask? and they were desirous that all protection should be removed from manufactures as well as from agriculture. What had the manufacturers done when Mr. Huskisson brought forward his resolutions in 1825 for the reduction of duties? They hailed his propositions with approbation. They hailed his proposals like enlightened men, and passed resolutions approving of his conduct, though his resolutions affected this produce, but they said at the same time that the Legislature ought to give them freer access to the corn markets of the world. It ought, they said, at the same time, to reduce the duties on corn, and not confine the reduction to manufactured articles. That, then, was not a new doctrine of theirs. It was not just therefore to say that the manufacturing classes wished to withdraw protection from the agricultural classes and retain it for themselves. He must appeal, before he sat down, to the hon. Member for Oxford against one argument of the right hon. Baronet. The right hon. Baronet said that the land supported the Church, and therefore the landlords were entitled to a duty on corn. He appealed to the hon. Baronet who represented Oxford whether this was dealing fairly with the Church. It was throwing on the Church the odium of maintaining the Corn-law. He said that was not fair towards the Church. Did the right hon. Baronet mean to say that if the Church did not exist, the Church property would belong to the landlords? If that were not the case, how could he allege in argument that the corn duties were necessary on account of the land supporting the Church? He agreed with the hon. Member for Birmingham, in his view of the revival of commercial prosperity. He believed that it was mainly founded on speculation, and was not to be relied on. He was afraid it would not turn out to be a permanent improvement. But whether there were prosperity or distress in the country, he said that the Legislature had no right to interfere with the corn trade. He placed the question on the right of every free citizen to employ his industry as he chose, unless it could be shown that some great paramount public advantage was to be obtained by restricting it. [*Cries of* "*Divide.*"]

Mr. *Villiers* in reply, stated, that he was glad that he had brought on the discussion and that it had lasted so long. The question was exciting an increasing interest in the public, and an increasing portion of the community was looking to that House, to see what defence could be offered for the Corn-law. The Gentlemen opposite were assailed in very strong terms—and their own organs reproached them with not annihilating their opponents. The world was anxious to see the mode in which this was done; but he believed the organs of the landed interest would not be satisfied. Three Cabinet Ministers, indeed, had spoken, which was one more than spoke on a former debate, but they had not made out anything like a case. Some person said why did he interrupt the public business with such a motion and such a debate. He knew of no public business of equal importance to the Corn-law. It affected the commerce and revenue of the country, and even the life of the people. The Right hon. Baronet (Sir R. Peel) had started an objection to his motion, which rather astonished him. The right hon. Baronet had said that he should have come forward with a motion for the repeal of all the protecting duties. Now, he had never advocated any protecting duties; on the contrary, he had always argued in favour of their complete abolition What was the opinion of Mr. D. Hume—whose evidence was looked to with so much respect by the country, and whose death the right hon. Baronet himself regretted. That gentleman when examined before the Import Duties Committee, gave it as his opinion that all protective duties were bad that they could only exist with danger to the revenue, with injury to the public, and that they ought all to be abolished. The right hon. Baronet said that he could not repeal the Corn-laws without at the same time repealing all other protecting duties; but the right hon. Baronet had answered himself, for he had said that corn ought to be distinguished from other articles. The right hon. Gentleman the Vice-President of the Board of Trade was in favour of free trade—free trade in the abstract. But he would show the right hon. Gentleman that he was in favour of free trade in the concrete, and that he expected every advantage from it. The right hon. Gentleman professed to wish to give the people employment, and yet he refused to adopt those very means by which he admitted employment could be given. The right hon. the President of the Board of Trade (he believed he might now call him so)* had admitted that if an increased importation of corn were to take place, such corn must be paid for by the exportation of British goods—and that it was taking a false view of the interests of British agriculture, to consider the corn thus introduced by importation as a displacement of British industry, that it would rather tend to raise than to lower wages, and would enable the people to become consumers of the produce to a larger amount. Such was the language of the right hon. Gentleman; and now when the people were wanting employment—when there was a deficiency in the revenue, arising from diminished power of consumption, the Ministers refused to adopt measures to give the people that employment, or to increase their powers of consumption. Was this not unreasonable? The right hon. Gentleman had also said that it would be imbecility on the part of the Government to repeal a law passed only last year; but he thought that there would be no more imbecility in repealing the present Corn-law than in repealing the old law last year, considering that they came into office on a promise to maintain the Corn-laws. The right hon. Baronet had said that those who proposed a repeal of the Corn-laws would not do so if they were responsible for the direction of the public interests. He would not shrink from the consequences of carrying out the repeal of the Corn-laws, and of all other protective duties. The right hon. Baronet stated as a reason for maintaining this law that it was a compensation to the landowners for the burthen imposed on them by the malt-tax. But if the Corn-laws were maintained to indemnify the landowners for the malt-tax, who was to indemnify the community for the double burthen of the malt-tax and the bread-tax? The works of Mr. Ricardo and of Mr. M'Culloch had been quoted as authority, on the subject of tithes being a burthen on the land, but it should be recollected that Mr. Ricardo had spoken of tithes as they existed twenty years ago, and had stated that if tithes were commuted, there would be no claim on that score on the part of the landowners; and in that very last work that he had published just before his death, he had stated that there would be no hope for the farmer until they had a free trade in corn. Mr. M'Culloch had said that if the Corn-laws were totally repealed, it would be no injury to the landed interest, and of great benefit to the community. His argument that the Corn-laws were as injurious to agriculture as they were to the community, had not been answered.

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* Mr. Gladstone on the death of Lord Fitzgerald had just been appointed President of the Board of Trade with a seat in the Cabinet.

He had quoted authorities on the subject—he quoted the opinions of many practical farmers in support of his argument. Let those who contended that the repeal of the Corn-laws would be injurious to the landed interest look at those who support them. The hon. Member for the county of Waterford, who seconded his motion, was the representative of a purely agricultural constituency, and he was supported by the hon. Members for the agricultural counties of Cork and Kerry, the hon. Member for Somerset too, (one of the oldest and most consistent Members of that House), and some hon. Members from Scotland connected with some of the largest landed properties in that country. In fact, all that were noble, generous, and really dignified in the aristocracy, were in favour of the abolition of the Corn-laws, and all that were ignorant, insolent, and bankrupt, were for their continuance. Everything had been done to throw discredit on the exertions of the Corn-law repealers. It should be recollected that there were in this country 1,400,000 paupers, and pauperism was increasing at the rate of 100,000 yearly.

The House divided—Ayes 125; Noes 381: Majority 256.

List of the AYES.

Aglionby, H. A.
Aldam, W.
Bannerman, A.
Barnard, E. G.
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Blewitt, R. J.
Bowring, Dr.
Brotherton, J.
Browne, hon. W.
Buller, C.
Buller, E.
Busfeild, W.
Byng, rt. hon. G. S.
Chapman, B.
Christie, W. D.
Clive, E. B.
Cobden, R.
Collett, J.
Collins, W.
Corbally, E.
Craig, W. G.
Crawford, W. S.
Currie, R.
Dalmeny, Lord
Dashwood, G. H.
Dennistoun, J.
D'Eyncourt, right hon. C. T.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Dundas, Adm.
Ellice, rt. hon. E.
Ellice, E.
Ellis, W.
Elphinstone, H.
Ewart, W.
Fielden, J.
Ferguson, Col.
Fitzroy, Lord C.
Fleetwood, Sir P. H.
Forster, M.
Fox, C. R.
Gibson, T. M.
Gisborne, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hall, Sir B.
Hastie, A.
Hawes, B.
Hay, Sir A. L.
Hayter, W. G.
Heron, Sir R.
Hindley, C.
Hollond, R.
Horsman, E.
Howick, Visct
Hume, J.
Jervis, J.
Johnson, Gen.
Johnston, A.
Langston, J. H.
Langton, W. G.
Layard, Capt.
Leader, J. T.
Lord Mayor of London
Macaulay, rt. hn. T. B.
Marjoribanks, S.
Marshall, W.
Marsland, H.
Martin, J.
Maule, rt. hon. F.
Morison, Gen.
Muntz, G. F.
Napier, Sir C.
O'Brien, J.
O'Connell, M. J.
Ord, W.
Oswald, J.
Parker, J.
Pechell, Capt.
Philips, G. R.
Philips, M.
Phillpotts, J.
Plumridge, Capt.
Ponsonby, hn. C. F.
Ponsonby, hn. J. G.
Protheroe, E.
Pulsford, R.
Ramsbottom, J.
Ricardo, J. L.
Rice, E. R.
Roche, Sir D.
Roebuck, J. A.
Ross, D. R.
Russell, Lord E.
Scholefield, J.
Scott, R.
Scrope, G. P.
Seale, Sir J. H.
Smith, B.
Smith, rt. hon. R. V.
Standish, C.
Stansfield, W. R. C.
Stanton, W. H.
Stewart, P.
Stuart, Lord J.
Strickland, Sir G.
Strutt, E.
Tancred, H. W.
Thorneley, T.
Towneley, J.
Trelawny, J. S.
Tufnell, H.
Turner, E.
Vivian, J. H.
Wakley, T.
Walker, R.
Ward, H. G.
Wawn, J. T.
Williams, W.
Wood, B.
Wood, G. W.
Yorke, H. R.

TELLERS.

Stuart, V.
Villiers, C.

List of the NOES.

Ackers, J.
Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Acton, Col.
Adare, Visct.
Adderly, C. B.
Alexander, A.
Alford, Visct.
Allix, J. P.
Antrobus, E.
Arbuthnot, hon. H.
Archbold, R.
Archdall, Capt. M.
Arkwright, G.
Arundel and Surrey, Earl of
Ashley, Lord
Astell, W.
Attwood, M.
Bagot, hon. W.
Bailey, J.
Bailey, J. jun.
Baillie, Col.
Baillie, H. J.
Baldwin, B.
Balfour, J. M.
Bankes, G.
Baring, hon. W. B.
Baring, rt. hn. F. T.
Barneby, J.
Barrington, Visct.
Baskerville, T. B. M.
Bateson, R.
Bell, M.
Bell, J.
Benett, J.
Bentinck, Lord G.
Beresford, Major
Bernard, Visct.
Blackburne, J. I.
Blackstone, W. S.
Blakemore, R.
Bodkin, W. H.
Bodkin, J. J.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bowes, J.
Boyd, J.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Broadwood, H.
Brooke, Sir A. B.
Brownrigg, J. S.
Bruce, Lord E.
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Bunbury, T.
Burrell, Sir C. M.

Burroughes, H. N.
Campbell, Sir H.
Cardwell, E.
Cartwright, W. R.
Castlereagh, Visct.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cayley, E. S.
Chapman, A.
Charteris, hon. F.
Chelsea, Visct.
Chetwode, Sir J.
Childers, J. W.
Cholmondeley, hn. H.
Christopher, R. A.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Clive, Visct.
Clive, hon. R. H.
Cochrane, A.
Codrington, Sir W.
Colborne, hn. W.N.R.
Collett, W. R.
Colquhoun, J. C.
Colvile, G. R.
Compton, H. C.
Connolly, Col.
Coote, Sir C. H.
Copeland, Ald.
Corry, rt. hon. H.
Courtenay, Lord
Cresswell, B.
Cripps, W.
Curteis, H. B.
Dalrymple, Capt.
Damer, hon. Col.
Darby, G.
Davies, D. A. S.
Dawnay, hon. W. H.
Dawson, hon. T. V.
Denison, E. B.
Dick, Q.
Dickinson, F. H.
Disraeli, B.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Douro, Marq. of
Dowdeswell, W.
Drax, J. S. W. S. E.
Drummond, H. H.
Duff, J.
Duffield, T.
Dugdale, W. S.
Duncombe, hon. A.
Duncombe, hon. O.
Dungannon, Visct.
Du Pre, C. G.
East, J. B.
Eastnor, Visct.
Eaton, R. J.
Ebrington, Visct.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Emlyn, Visct.
Escott, B.
Esmonde, Sir T.
Estcourt, T. G. B.
Farnham, E. B.
Feilden, W.
Fellowes, E.
Ferguson, Sir R. A.
Ferrand, W. B.
Filmer, Sir E.
Fitzmaurice, hon. W.
Fitzroy, hon. H.
Flower, Sir J.
Follett, Sir W. W.
Ffolliott, J.
Forbes, W.
Forester, hn. G. C. W.
Fox, S. L.
French, F.
Fuller, A. E.
Gaskell, J. Milnes
Gill, T.
Gladstone, rt. hn. W.E.
Gladstone, Capt.
Glynne, Sir S. R.
Gordon, hon. Capt.
Gore, M.O.
Gore, W.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Greene, T.
Gregory, W. H.
Grimston, Visct.
Grogan, E.
Hale, R. B.
Halford, H.
Hallyburton, Lord G.
Hamilton, J. H.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hardy, J.
Hatton, Capt. V.
Hayes, Sir E.
Heathcote, G. J.
Heathcote, Sir W.
Heneage, G. H. W.
Heneage, E.
Henley, J. W.
Henniker, Lord
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hillsborough, Earl of
Hinde, J. H.
Hodgson, F.
Hodgson, R.
Hogg, J. W.
Holmes, hn. W. A'C.
Hope, hon. C.
Hope, A.
Hope, G. W.
Hornby, J.
Hoskins, K.
Houldsworth, T.
Howard, Lord
Howard, P. H.
Howard, W. B.
Hussey, A.
Hussey, T.
Ingestre, Visct.
Inglis, Sir R. H.
Irving, J.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kelburne, Visct.
Kelly, F. R.
Kemble, H.
Ker, D. S.
Kerrison, Sir E.
Kirk, P.
Knatchbull, rt. hn. Sir E.
Knight, H. G.
Knight, F. W.
Knightley, Sir C.
Labouchere, rt. hn. H.
Lawson, A.
Lefroy, A.
Legh, G. C.
Leicester, Earl of
Lemon, Sir C.
Lennox, Lord A.
Leslie, C. P.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, H. H.
Lockhart, W.
Long, W.
Lopes, Sir R.
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Maclean, D.
McGeachy, F. A.
McTaggart, Sir J.
Maher, V.
Mahon, Visct.
Mainwaring, T.
Mangles, R. D.
Manners, Lord C. S.
Manners, Lord J.
March, Earl of
Marsham, Visct.
Martin, C. W.
Marton, G.
Master, T. W. C.
Masterman, J.
Maunsell, T. P.
Maxwell, hon. J. P.
Meynell, Capt.
Mildmay, H. St. J.
Miles, P. W. S.
Miles, W.
Milnes, R. M.
Mordaunt, Sir J.
Morgan, O.
Mundy, E. M.
Murray, C. R. S.
Neeld, J.
Neeld, J.
Neville, R.
Newport, Visct.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Northland, Visct.
O'Brien, A. S.
O'Brien, W. S.
O'Conor, Don
Ogle, S. C. H.
Ossulston, Lord
Owen, Sir J.
Packe, C. W.
Pakington, J. S.
Palmer, R.
Palmerston, Visct.
Patten, J. W.
Peel, rt. hn. Sir R.
Peel, J.
Pendarves, E. W. W.
Pennant, hon. Col.
Philipps, Sir R. B. P.
Pigot, Sir R.
Plumptre, J. P.
Polhill, F.
Pollington, Visct.
Pollock, Sir F.
Powell, Col.
Praed, W. T.
Price, R.
Pringle, A.
Pusey, P.
Rashleigh, W.
Redington, T. N.
Reid, Sir J. R.
Rendlesham, Lord
Repton, G. W. J.
Richards, R.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, C. G.
Rous, hon. Capt.
Rumbold, C. E.
Rushbrooke, Col.
Russell, Lord J.
Russell, C.
Russell, J. D. W.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Scarlett, hon. R. C.
Seymour, Lord
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Sibthorp, Col.
Smith, A.

Smith, rt. hn. T. B.
Smyth, Sir H.
Smollett, A.
Somerset, Lord G.
Sotheron, T. H. S.
Spry, Sir S. T.
Stanley, hon. W. O.
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Talbot, C. R. M.
Taylor, T. E.
Tennent, J. E.
Thesiger, F.
Thompson, Ald.
Thornhill. G.
Tollemache, hn. F. J.
Tollemache, J.
Tomline, G.
Trench, Sir F. W.
Trevor, hon. G. R.
Trollope, Sir J.
Trotter, J.
Turnor, C.
Tyrell, Sir J. T.
Vane, Lord H.
Verner, Col.
Vernon, G. H.
Vesey, hon. T.
Vivian, J. E.
Waddington, H. S.
Walsh, Sir J. B.
Welby, G. E.
Wellesley, Lord C.
Wemyss, Capt.
Whitmore, T. C.
Wilbraham, hn. R. B.
Williams, T. P.
Wilshere, W.
Winnington, Sir T. E.
Wodehouse, E.
Wood, Col.
Wood, Col. T.
Worsley, Lord
Wortley, hon. J. S.
Wyndham, Col. C.
Wynn, rt.hn.C.W.W.
Wynn, Sir W. W.
Yorke, hon. E. T.
Young, J.

TELLERS.

Fremantle, Sir T.
Baring, H.

Adjourned at a quarter past two o'clock.

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HOUSE OF LORDS,

Tuesday, May 16, 1843.

MINUTES.] BILLS. *Public.*—$1^{a.}$ Non-Separation of the Sees of St. Asaph and Bangor; Slave Trade Suppression.

Private.—$1^{a.}$ Glasgow, Paisley, and Greenock Railway; Merthyr Tydvil Stipendiary Magistrates; Wexford Harbour; Story's Estate.

$2^{a.}$ Watson's Divorce; Hope's Naturalization; Townshend Peerage.

Reported. —Glasgow City and Suburban Gas; Neath Harbour; Hawkins's Estate.

$3^{a.}$ and passed:—Preston Waterworks; St. James's, Westminster Improvement.

PETITIONS PRESENTED. By the Bishop of Durham, and Earl Fitzwilliam, from Durham, Kirkcaldy, and Stone, for the Total and Immediate Repeal of the Corn-laws. By the Earl of Warwick, and Lord Beaumont, from a great number of places, for the Repeal of the Malt-Tax.—By the Duke of Sutherland, from Lairg, for the better Payment of Scotch Parochial Schoolmasters.—By the Bishop of Exeter, against the Union of the Sees of St. Asaph and Bangor.

HER MAJESTY'S ANSWERS TO THE LORDS' ADDRESSES.] The Earl of *Liverpool*, Lord Steward of the Household, by command of her Majesty, presented to their Lordships her Majesty's most gracious Answer to the Addresses from their Lordships. The first, as follows, was the answer to the Address of Condolence on the DEATH OF THE LATE DUKE OF SUSSEX.

"MY LORDS;

"I thank you for the fresh proof afforded me by this loyal and affectionate Address of your participation in my feelings on the Death of my lamented uncle the late Duke of Sussex."

The other, in the following words, was the Answer to the Address of Congratulation, on the BIRTH OF A PRINCESS,

"MY LORDS;

"I have received your affectionate and loyal Address with the truest satisfaction.

"I sincerely thank you for your congratulations on the birth of another Princess, and for the regard which you express on this occasion to my person and Government."

On the motion of the Duke of Wellington, her Majesty's most gracious answers were ordered to be inserted in the Journals.

CORN LAWS—MALT TAX.] The Earl of *Warwick* having presented several petitions for the abolition of the Malt-tax,

The Earl *Fitzwilliam* said, could not but hail with satisfaction the presentation of the petitions. He agreed with the petitioners, and would be prepared to give effect to the wishes of the petitioners. He was himself of opinion, that the Malt-tax was a most mischievous, a most injurious tax to the consumer and to the farmer, and that it was a very clumsy mode of levying a tax upon the land. He trusted the noble Lord would be prepared to support the prayer of the petition which he had now to present—it was from Kirkaldy and its vicinity praying for the entire abolition of the Corn-law.

Petition laid on the Table.

THE TOWNSHEND PEERAGE.] Lord *Brougham* said, he now rose to ask their Lordships to give a second reading to the Townshend Peerage Bill. It would be in the recollection of their Lordships, that when this matter was last before the House, a noble and learned Friend of his (Lord Cottenham) had taken an objection which tended to prevent their Lordships going into evidence in support of the preamble of the bill, and that objection had been negatived without a division, the consequence of which had been that their Lordships had entered into a consideration of the evidence. He now spoke in the presence of many noble Lords who had taken part in a careful examination of the evidence taken at the bar, and it therefore was hardly necessary for him to do more than slightly to remind noble Lords of what had been proved, the course the arguments had taken, and the answer which had been given on the part of those who opposed this legislation. He would, in the first place, remind their Lordships, that those who were in favour of the measure, both in the committee up-stairs to whom the case was referred, and on the discussion of the objection raised by his noble and learned Friend, all distinctly and explicitly admitted, that this was an extraordinary, if not an unprecedented measure—a measure to which recourse ought only to be had in most extraordinary and peculiar circumstances; that it ought to be carefully watched, that the proof of the facts on which the necessity was founded, for such a measure ought to be carefully sifted, and it was only, as his noble and learned Friend behind him (Lord Cottenham) had stated—in which statement he afterwards agreed, and in which his noble and learned Friend not now in his place (Lord Denman) also concurred, and as his noble and learned Friend on the Woolsack had added, on the condition that the facts stated in the preamble were clearly proved by evidence that could not admit of a shadow of a doubt to remain upon any man's mind—that he or they could ask or advise their Lordships to pass a measure of this description. Having stated thus much, he would further remind their Lordships of what had passed in this House on the three several days (with an interval between each) upon which their Lordships had entered, from ten o'clock in the morning until four or five o'clock, into a full examination of the evidence, so as to investigate the truth and correctness, in all respects, of the allegations contained in the bill. The House on those days had been attended by from sixty to seventy Peers, who gave the most zealous, unbiassed, candid, and deliberate attention to the arguments urged by counsel on either side, and to all the depositions of the witnesses. The witnesses examined had undergone a most searching and sifting cross-examination, conducted by the professional gentlemen in attendance, and a still more sifting examination by different Members of their Lordships' House—more sifting because noble Lords were not bound by those rules by which counsel in a cause were limited. He had not had a very short experience of proceedings in courts, whether in Parliament or in the courts of law, and he must say that he never remembered a case of any importance in which the evidence was so entirely in one direction; and there was not a single shadow of doubt created either by the demeanour of the witnesses, by any discrepancy between their testimony, or by any internal improbability as to the matters they deposed to. The noble and learned Lord then gave a summary of the evidence, and afterwards said—all these circumstances proved beyond a doubt all the allegations of the preamble of the bill, and nothing could be more audacious than the conduct of Mr. Dunn Gardner and Mr. Margetts; Lady Townshend he acquitted of all participation in the scheme, but nothing could be more audacious than the conduct of Mr. Margetts and Mr. Dunn Gardner, in endeavouring to palm off a spurious offspring on the Townshend family, and usurp the privileges of their Lordships' House. He said, that Lady Townshend was not to blame. Towards the end of the investigation, had there not been a sufficient and clinching proof, she might have been called —not to prove the illegitimacy of her own offspring—for that was not according to the rule of law—but she might have been called to prove access and cohabitation, and prove the legitimacy of her offspring. The counsel for Lord Townshend had put it to the opposing counsel, that she be called, and tell if she had cohabited with Lord Townshend. The opposing counsel, however, had not answered to the call, and had made an excuse for not calling her, that she was not, according to a decision of Mr. Justice Littledale, a competent witness. He, however, could give a better reason for not calling her. The learned counsel dared not call Lady Townshend, because she could not prove access. He was bound to state that Lady Townshend was grievously affected by the odium she lay under on account of the proceedings in this case, and had desired him, on her authority, so to state: but she could not be expected to state before their Lordships any doubt of the legitimacy of her own children. He must also say in the lady's defence, and in extenuation of her conduct, that she had acted under the influence and control of Mr. Margetts and Mr. Dunn Gardner; that she had acted on their compulsion, and had vehemently protested against the whole proceedings, against the baptism of the children, and the assumption of the title. Lord Leicester must be excused, too, for he could not be expected to know better than his parents, or to know more than what they told him. He exonerated Lord Leicester therefore. The case, he maintained, which was as clear as daylight before, was made clearer by all the evidence and by the admissions he had adverted to. He would only add, that either then, or on the second reading, or at some other stage of the bill, he proposed to make an alteration in it which would not touch its frame, and, he believed, it would improve the bill. He meant, instead of declaring the children illegitimate, to declare that they were not the issue of the Marquess of Townshend. That was a better form of expression, and the enactment would equally obtain its object. They would be left, if they pleased, to prove their own legitimacy, if they knew how, though he could not see how they could prove themselves either the children of the Marquess of Townshend, or the legitimate children of Mr. Margetts, as the marriage of their mother with the Marquess had never been dissolved. By putting the clause in that form their Lordships would not do more than necessary, nor more than the circumstances of the case required. They would only declare that these children were not the legitimate offspring of the Marquess of Townshend. One of the children had not yet attained the age of twenty-one, and could not be made a party to the suit. They might proceed in respect to him as they proceeded in the Berkeley case; but he thought, under all the circumstances of the case, as he could not be served, that the best way was to leave his name out of the bill. The effect then of the measure would be only to declare that those children who were of age, were not the legitimate offspring of the Marquess of Townshend. Another part he must notice was that referred to in the correspondence with Mr. Ridgway, a respectable bookseller in the metropolis, who was the Marquess of Townshend's agent, and from which is appeared that the Marquess of Townshend had offered, on certain pecuniary arrangements being made by Mr. Dunn, to acknowledge the legitimacy of the children. Now that was no confirmation of their legitimacy. On the contrary, it indicated that the Marquess had a consciousness, that the children were not his; at the same time he behaved so ill towards his own brother, that he was willing, for his own pecuniary purposes, to cut him off from all chance of succeeding to the titles and estates if Mr. Dunn Gardner would have acceded to the treaty. He had nothing to add, but to express a hope that their Lordships would read the bill a second time. On the question being put,

Lord *Cottenham* said, he was willing to admit that the case which had been made out at their Lordships' bar was complete. The fact of the adultery was clearly proved, as well as the continuance of the adultery. It was clearly proved, that the husband did not beget the children which his wife bore. All that was proved to the satisfaction of every one of their Lordships. But he must say, nevertheless, that their Lordships were not called on to adopt the bill, because the case had been so strongly established. On the contrary, he thought that the strength of the case was an argument against the extraordinary interposition of the Legislature which was now demanded. If the case were doubtful, if it depended on one witness, he would not say but that his opinion might be favourable to the interposition of the Legislature. There might be circumstances which would justify the exercise of the power of the House, but it was when the facts of the case were not so strong as in this case. The circumstances proved at their Lordships' bar were so strong as to destroy, he thought, the necessity for interference. The fact to which his noble and learned Friend adverted at the conclusion of his address did not invalidate but confirm the other evidence. That the father professed a readiness to acknowledge the children, if they would join him in cutting off the entail, was, he thought, a proof of his opinion of their illegitimacy. The document in which that evidence was contained, was not the only document which bore on the same point. They were, however, to consider what their Lordships were about to do in establishing this precedent; and he would venture to say that, if they adopted the bill, they would have many such cases brought before them. What was that case? It was the case of an uncle calling on their Lordships to declare by act of Parliament that certain persons, called the children of his brother, were not his legitimate offspring. They were the children of that brother's wife, but not the children of the brother. He had stated formerly that they had no precedents to guide them, and their Lordships had directed two committees to search for precedents, which had reported to the House without finding any. The counsel, it appeared, had been more successful than their Lordships' committee, and they had found three cases, two of which were of a time that their Lordships would not be disposed much to regard; they occurred in the reign of Henry 8th, and one occurred in the reign of Charles 2nd. Of the three cases, that of Lady Marr, occurred in the year 1542, and there was a second case in the same year. But for the evils which existed when those cases arose the law had provided no remedy, and therefore the Parliament interfered. Certainly justice required that the law should be capable of giving relief in such cases, and that it did not was the only ground on which Parliament interfered in cases of divorce. It did not interfere by granting divorce bills till it was established that ecclesiastical courts would only pronounce for a divorce *á mensa et thoro*. After the reformation, the ecclesiastical courts had not the power, and would not decide on dissolving a marriage *á vinculo et matrimonii*, and the Parliament was obliged to interfere. In these three cases, their Lordships would find the same principle, and according to the law of the land the parties had no other remedy than the interference of Parliament. That interference was called for by the fact that there was no other remedy as long as the husband was within the four seas. It was then a rule of law that the children of a man's wife could not be declared illegitimate if the husband were within the four seas. The fact that the husband was within the four seas constituted the legitimacy of the children. In cases where the husband was not the father of the child, nevertheless, according to the rule of law, the child was legitimate. The law, then, providing no remedy in such cases, the Parliament acted, it assumed the jurisdiction, and declared the children illegitimate. But that rule of law had ceased, and the ordinary courts of law could and would now investigate such cases, and as the circumstances warranted, the judge and the grand jury would find that, the children were legitimate or illegitimate. At present, then, there was a remedy for such cases; the old rule of law was at an end, and the reason for their Lordships exercising a jurisdiction had ceased. The precedents relied on were all drawn from a time when the interference of the Parliament was necessary, because there was no other remedy. He would warn their Lordships of the danger of following those precedents and of the consequences which would flow from doing so. In the recital of one of these three acts it was set forth, not that the husband and wife had separated, although it was stated that there had been adultery on the part of the wife, but merely that there had been an admission on the part of the wife that her children were adulterous, and hereupon they were bastardized, contrary to all law and all justice. With the exception of the three acts cited, there were no records of Parliament which furnished anything like precedents for the present proceeding, and these he looked upon as precedents which their Lordships should be very chary of following. What had been the rule in divorce cases formerly? The rule had been, that in all acts dissolving marriages by reason of adultery, such children were declared illegitimate, as it was assumed from given evidence they could not have been the children of the parties. The last Act of Divorce, in which this principle was acted upon, occurred in 1799, since which period the Legislature had repudiated it altogether. In 1828, in a case before their Lordships, an application was made at the Bar to go into certain evidence to show that the issue of the wife were bastards, inasmuch as there was ground for believing that they could not be the issue of the husband. But the answer given by their Lordships to that application was this, that the House of Lords had for many years discontinued the permitting any such clause being introduced into divorce bills, and for this reason, that there was no person to represent the interest of the infants. The question in these cases was between the husband who applied for the divorce and the wife who resisted the application, but no question justly arose as to the illegitimacy of the children. On the same principles his noble and learned Friend who had charge of the present bill, had most properly stated, that it was not intended to let this act affect one of the sons of this lady, on the ground that that child was under age, and therefore unable to appear at the Bar to protect his interests. He quite concurred in the propriety of this exemption, and it seemed to him that the cause here stated involved the strongest reason why their Lordships should not entertain this bill at all. His noble and learned Friend admitted, that this was a very extraordinary and very novel proceeding, justifiable only by the extraordinary circumstances of the case, which extraordinary circumstances, he presumed, were the strength of the evidence establishing the alleged facts. For, as to the other circumstances of the case, although fortunately such cases were rare, it could not be altogether described as very novel and extraordinary for illegitimate children to be born of a married woman. The peculiar circumstances, the details of the case, might be extraordinary, no doubt, as they were represented; but, after all, how were their Lordships to know what all the circumstances of the case, on both sides, were, in the present position of the matter? It might be that the individual who came before their Lordships with this claim came before them with what was a strong case, with what, in the sanguine views of a person seeking to establish a claim, appeared to be an overwhelming case; but there might also be features in the evidence adduced which turned on very nice points; there might be circumstances in the conduct of the wife of the claimant's brother, which might appear to the claimant to be of a very flagrant and conclusive character against her, but which, when the matter was thoroughly sifted, might or might not, turn out to be little more than flighty irregularities, which, however objectionable, did not wear the criminal aspect imputed to them. It appeared to him an evil of very great magnitude to open the door of their Lordships' House to inquiries such as this, into the proceedings of particular families, of husbands and wives, whom no legal measure had separated, and who might at the very time, for anything that legally appeared to the contrary, be again united, and be living in mutual happiness. This was a great grievance; and their Lordships ought long to hesitate before they held out to the public, that people had nothing to do but to come and demand such inquiries at their Lordships' hands, to obtain them. If they established such a precedent as this, they would find, when too late, that they had thrown open that House to interminable cases. He had heard it said, that besides prospective, there were present grievances to be remedied. It was not merely that the claimant might suffer a grievance hereafter; there was a present grievance. He would say present grievance in this case, as contradistinguished from the grievances which existed in every other case, where the circumstances were such as to raise a question of title depending upon the illegitimacy of other persons, which question could not be immediately tried. It was said that the eldest of the individuals whose title was sought to be set aside, called himself Earl of Leicester; the assumption of which title was said to be a great inconvenience and grievance upon the claimant, inasmuch as, by assuming it, the person proceeded against announced his intention of assuming a title which the claimant said would belong to him; but the mere assumption of the title, as a mode of making this announcement, need hardly be so weighty a grievance. It was said to be another present grievance, that the person so calling himself Earl of Leicester came and stood at the foot of the Throne in their Lordships' House, in his professed capacity of a Peer's son. This was described as a privilege which it was a great grievance for him to assume. Now he had met with a very similar case to this. In the year 1668, an infant presented a petition to their Lordships' House claiming to be entitled to be called Viscount Purbeck, and to have the privilege of standing behind the Throne, in his alleged capacity of a Peer's son. It was argued against him that his father was not the legitimate child of the former Peer; but the claimant insisted, that though an infant, he was entitled to the dignity he claimed, and to stand at the foot of the Throne, because he was the son of a Peer. But the law authorities of their Lordships' House at that time considered that the privilege of standing at the foot of the Throne was not so considerable a privilege as to oblige them to come to a present decision, and the matter was postponed for three years, that being the period wanting to complete the claimant's majority. Now this was doing much more than he proposed to do, for all he proposed was to adjourn the consideration of this matter for six months. Now, this, he thought, was a precedent, illustrative of the opinion of the House as to the privilege of standing at the foot of the Throne. It so happened, that the individual now in question had a privilege in reference to their Lordships' House with which their Lordships were not likely to interfere, the privilege, namely, which enabled Members of the House of Commons to be present in their Lordships' House, though not in the same position altogether as Peers' sons. There was another present grievance complained of; that this individual sat as a Member of the House of Commons, upon his alleged qualification as the son ot a peer. He apprehended that as to this ground of complaint, their Lordships would be of opinion that this was a question which might just as well be left to the House of Commons themselves. Their Lordships would not probably wish to trouble the House of Commons with their opinion as to whether a Member of that House had or had not the qualification under the statement of which he had taken his seat among them. It might, indeed, be said, that the time had gone by at which that qualification could be questioned in the House of Commons! but this was no reason why the House of Lords should interfere in the matter. What would be the result of inquiries of this sort? Suppose that the present case, instead of being a very strong one—the noble and learned Lord, indeed, admitted that had it not been a very strong case, had there been a reasonable doubt upon the matter, he should not have ventured to bring forward the measure—but suppose the case had not been a strong one, suppose the bill rejected by their Lordships, not on the principle which would leave things as they stood, but on the ground of the weakness of the facts adduced, in what a position would this place their Lordships when the case at some future period came before them in their judicial capacity? Suppose their Lordships were called upon to exercise their judicial capacity in this very year? In what a position would they stand as judges in a question which, though in its incomplete state, they had decided upon as legislators but a month or two before? Again, suppose the bill which bastardized these persons passed by their Lordships, should be rejected by the House of Commons; this might happen, and then in what a state would the parties be left? When some ten or twenty years hence, perhaps, in the persons, possibly, not of the present parties, but of their children, the Townshend peerage case came before the Peers, in what a position would the case be placed by the circumstance which he had now suggested. The bill before them referred to certain honours and estates, and set forth that there were no present means of proving the claimant's title. It was not urged that the claimant had no remedy; all he said was, that he had no adequate remedy. Their Lordships should recollect, that questions of title were now placed upon the same footing as other questions of inheritance, and their Lordships, therefore, need not be specially asked to interfere on the ground of peerage. There was another point he would suggest. He did not mean to say, it was not competent in the House to entertain questions of peerage, but they must be careful that, in entertaining such questions, they did not interfere with the privileges of the Crown. The House of Lords had no original jurisdiction in such matters; all questions of this nature must be deputed to their consideration from the Crown, and he really thought it worthy of their attention how far in this matter of the Townshend peerage they might be trenching upon the undoubted prerogatives of the Crown. The bill, of course, could not become a law until it had received the royal assent; but up to the period when it was presented to her Majesty for her approval, her Majesty would have no cognizance of a matter with which the prerogatives of the Crown were, in point of fact, so intimately connected. By this bill, Parliament was called upon to dispose of estates, not upon reference from the parties respectively interested, but *ex parte* adversely; to take away property from one person, and give it to another, who thought proper to claim it. This was not the law of the land; the law of the land was, that property should only be disposed of between parties, either by the act of a jury, or *per legem terræ.* And this *lex terræ* could never be construed to mean an act of Parliament, a private act of Parliament, arbitrarily passed by Parliament at the instance of one person against another person or another set of persons, upon *ex parte* evidence, adduced at a period when the question to be decided had not yet accrued. The *lex terræ* was not a particular act passed in this way, adversely, against particular persons. To take property, by an arbitrary act of Parliament, from one person, and give it to another, was assuredly not a proceeding *per judicium* *parium*, or *per legem terræ*, but the mere tyranny of power, which, though the sufferers must needs obey, could never be deemed the law of the land. If this principle were introduced, where were their Lordships, where was Parliament, to stop? Where were they to draw the line? To conclude, the facts of this case were, no doubt at all, very strong. The evidence adduced at the bar of their Lordships House was, no doubt, of the most conclusive nature; and it was because the facts were strong, because there was a strong feeling in favour of abstract justice being done in the particular case, because there would be a strong feeling of regret, in which he himself should entirely participate, at honours and estates passing into the hands of those who were not entitled to them—it was precisely for these reasons that their Lordships should deem it incumbent upon them, as judges in the last resort—as the judicial tribunal by whom this and similar questions must be decided—to abstain from laying down a rule, from adopting a line of proceeding, which, if laid down, which, if adopted, he believed there was no nobleman in that House but would live to repent. The noble and learned Lord concluded with moving, that the bill be read a second time that day six months.

On the question being put,

Lord *Kenyon* thought it would be as well to postpone the decision upon the present bill until the noble and learned Lord on the Woolsack, and other learned Lords, had stated their opinions upon the principle of the measure.

The *Lord Chancellor* said, that the principle of the bill had been fully discussed.

The Earl of *Devon* was not clear that the principle of the bill had been altogether so fully discussed.

Lord *Denman* said, that he considered that the principle of the bill was fully discussed on a former occasion, and, therefore, he did not conceive that it was necessary to reply to the arguments of his noble and learned Friend. He did not think that this was a bill upon which the opinion of the law Lords should be peculiarly called for. The question involved was one of expediency, and upon which any noble Lord was as well able to form an opinion as a legal Lord. With respect to an objection of his noble and learned Friend namely, that the bill might be rejected by the House of Commons, he should regret if this happened; but even if this were the case; the evil was not irreparable, for the evidence heard at the bar might be made available on a future occasion. He would only add, that he thought it would be a great evil to public morals if this did not pass, and he had never more unhesitatingly given his assent to any measure.

Lord *Campbell* having addressed their Lordships on a former occasion, would only say, that he thought that in the present case there was a great evil for which the law had provided no adequate remedy; he therefore thought this bill should pass, and he confessed that he could not conceive that any danger would result from it.

The Earl of *Wicklow* thought, that no answer had been made to the objections urged by the noble and learned Lord (Lord Cottenham), on a former occasion, to this bill; and no attempt, on the present occasion, had been made to answer his extremely powerful speech. He certainly should oppose the second reading of this bill; and his opinion as to the propriety of doing so was strengthened by hearing the evidence.

The Lord Chancellor being about to put the question,

Lord *Brougham* said, the Master of the Rolls has not yet given his opinion.

Lord *Langdale:* Thus called upon, I can have no objection to state shortly the reasons which induce me to vote for the second reading of this bill. Not having been able to attend the House when the evidence was given at the bar, I have very carefully read the whole of it as printed for the use of your Lordships, and I am of opinion that the case stated in the preamble of the bill is substantially proved. Even my noble and learned Friend who opposes the bill, admits that the truth of the statements has been fully established. This being so, every one must consider it to be desirable, at least that a public scandal proved to exist, and producing, and likely to produce great private injury, should be put an end to by legal means. It is a case in which justice cannot be done and secured without the application of law, and there is no general law applicable to it. Now, my Lords, I admit first, that it is a great reproach to our system of general law that it provides no remedy for such a case as this; and secondly, that a special and peculiar law made for an individual case is justly open to such objections as have been so calmly and judicially stated by my noble and learned Friend (Lord Cottenham). But in all cases of this kind we have to consider the balance of conveniences and inconveniences. There is no general law enabling parties to obtain redress by a complete divorce; and acts of Parliament for effectuating divorces in particular cases are passed in every Session. They are not free from the objections to which special laws made for individual cases are liable; but it is thought better to pass them than to refuse justice in particular cases where it cannot be had by the general law; and on the consideration of this case, there being unfortunately no general law applicable to it, I think that the passing of this bill, though objectionable, will produce much less inconvenience than will arise from permitting the public scandal and private wrong which have been proved, to go on unchecked and unredressed. I only wish to add, that in my opinion a general law applicable to such subjects ought to be provided; and that I support this bill for the reasons which I have stated, and because I think that a general law duly considered cannot probably be prepared and agreed upon in the time within which relief ought to be given in this case.

Their Lordships divided on the question that the word now stand part of the question—Contents 55; Not-Contents 8: Majority 47.

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Bill read a second time.

Adjourned.

HOUSE OF COMMONS,

Tuesday, May 16, 1843.

MINUTES.] BILLS. *Private.*—2°· Topsham Improvement. *Reported.*—Portsea Improvement; Edinburgh and Glasgow Union Canal; Liskeard Railway; Maidstone Railway; Birmingham and Gloucester Railway; Drumpeller Railway; Bristol and Gloucester Railway; South Eastern Railway; Cliffe-cum-lund Inclosure; Bethnal Green Improvement.

3°· and passed:—Merthyr Tydvil Stipendiary Magistrates; Wexford Harbour; Glasgow, Paisley, and Greenock Railway.

PETITIONS PRESENTED. From Limerick Union, against the Irish Poor-Law. From Glasgow, Falkirk, and several Collieries, against the Mines and Collieries Bill.

CANADA CORN AND FLOUR.] Mr. *Thornely* had a question to put to the right hon. Gentleman, the President of the Board of Trade, with respect to the intended alterations of duty on the importation of wheat and flour from Canada. As the law at present stood, wheat was admitted into Canada and the British possessions in North America free of duty, and if ground to flour, it was admitted into the United Kingdom at a duty varying according to a sliding-scale from 1*s.* to 5*s.* But wheat imported into the United Kingdom from Canada required to be accompanied by a certificate that it was the produce of Canada, or of some of our possessions in North America. The question he wished to put was this, whether, in the proposed alteration in the laws relating to the importation of Canadian corn, it was intended that wheat imported from thence into the United Kingdom should be admitted for consumption at a rate of 1*s.*, whether it was the produce of Canada or of a foreign country; and he would also ask this other question—whether, if this privilege was to be granted to Canada, it would be extended to Nova Scotia, New Brunswick, and our other American settlements.

Mr. *Gladstone:* The hon. Gentleman had correctly stated the provisions of the law as it at present stood. No Canadian wheat could be imported into this country at present without a certificate that it was the produce of the colony; and all he had to say, in answer to the hon. Gentleman was, that it was not intended to make any alteration in the law in that respect; therefore wheat imported into Canada could not be entered into this country. With respect to the second question, he had merely to observe, that the resolutions of which notice had been given, referred only to the case of Canada; and the bill to be founded upon them must therefore be confined to Canada.

Mr. *Labouchere* intended to put another question to the right hon. Gentleman opposite. As the law now stood, wheat flour, imported from Canada must bring with it a certificate of having been ground in Canada? He wished to know if it was intended to do away with this restriction, and enable flour, ground in the United States, after it had crossed the Canadian border, and had thus become in a manner naturalised, to be imported into this country at the colonial duty.

Mr. *Gladstone* replied, it was not intended to make any change in the law with respect to the certificates of produce.

SCHOOLMASTERS' WIDOWS' FUND (SCOTLAND). AMENDMENTS TO BILLS.] The *Speaker:* I wish to call the attention of the House to the circumstances attending their proceedings on the "Schoolmasters' Widows' Fund (Scotland) Bill," which passed the Commons on the 25th of April last. It was returned by the Lords, with amendments, on the 2d of May. These amendments were submitted to me, and were perfectly unobjectionable. It appears from an entry in the minutes of proceedings of the House of Lords of the 5th of May, that this bill was returned from the Commons on that day, with the amendments agreed to; but there is no record in the votes of the House of their ever having been considered; and upon an examination of the bill, it appears that it has not been signed by the clerk in the usual manner, which certifies that the amendments have been agreed to. It must, therefore, have been inadvertently and by mistake taken up to the Lords, and afterwards placed in the commission, as it received the Royal Assent on the 9th of May. In 1829 a case occurred of a somewhat similar character. A bill, entitled, "An act to amend the law relating to the employment of children in cotton mills and factories," passed the House of Commons. The Lords made certain amendments, but did not send back the bill, and it was by mistake placed in the commission. The House of Commons, on being informed of this circumstance by the Speaker, appointed a committee to search the Lords' journals, and afterwards demanded a conference with the Lords upon the subject. The House, being satisfied with the explanation given of the transaction by the House of Lords, agreed to the amendments, and passed a bill to render valid and effectual the act which had passed by mistake. This is a matter of such deep importance that it is scarcely necessary for me to recommend it to the earnest attention of the House. The bill is either become the law of the land, or another bill will be necessary, in case this House should think fit to agree to the Lords' amendments to render it valid; and in any case it will be necessary for this House to take such steps as will prevent a recurrence of similar mistakes, by which not only the privileges of this House, but the law of Parliament, might be seriously affected.

Sir *R. Peel*: I think it will be the unanimous opinion of the House that this circumstance should not be permitted to pass over without some notice. Here is a bill, with respect to which, some amendments have been made by the House of Lords' and with respect to which a final opinion has not been pronounced by this House. It has been inserted in a commission, and may now have the effect of a law. The amendments introduced may not be of much importance, but still I think it would be a dangerous precedent, if you should permit amendments to have the force of law, to which we have not given our assent, without an express record of all the circumstances under which the transaction took place. I should therefore, propose a select committee to inquire into the circumstances under which the Schoolmasters' Widows' Fund (Scotland) Bill was returned to the House of Lords and received the Royal assent, the amendments which the bill had received not having been agreed to by the House of Commons.

Motion agreed to. Committee appointed.

ANSWERS TO ADDRESSES—THE LATE DUKE OF SUSSEX.] Colonel *Dawson Damer* appeared at the bar, and said: "I have had the honour of waiting on her Majesty with two addresses of this House, and I beg to present her Majesty's answers thereto. The answer to the address of condolence on account of the death of the Duke of Sussex was as follows:—

"I have received with satisfaction the loyal and dutiful Address of Condolence which the House of Commons has presented to me, on the late melancholy death of my beloved Uncle, the Duke of Sussex, as a gratifying proof of their constant attachment to my Person, Family, and Government."

BIRTH OF A PRINCESS.] The reply to the address of congratulation was as follows:—

"I return you my hearty thanks for this dutiful and affectionate Address, and cordially receive your congratulations on the birth of another Princess.

"I gratefully receive every additional proof of your loyal attachment to my Person and Family."

MINES AND COLLIERIES BILL.] Mr. *Cumming Bruce* said it had been his anxious wish to have called the attention of the House to the subject of the petitions for the collieries in Scotland before the recess. He had given notice of this intention so far back as February last, and had renewed that notice at least a dozen times before Easter without success. At one time adjourned debates came in the way—at another the neglect by the Lords of her Majesty's Treasury in the discharge of their peculiar function of "making a House," was fatal to him—at another, the mysterious attraction by which, between the witching hours of seven and eight, hon. Members were apt to be drawn away from the House, so as not to leave a sufficeint number to keep Mr. Speaker in the Chair,—all these various causes, and no want of exertion on his part, as the noble Lord the Member for Dorsetshire would bear him witness, had forced him to submit to the delay. He rejoiced, that at length—thanks to the activity and superior skill of his hon. Friend the Member for Lanarkshire—he had obtained the opportunity of submitting the grievances of these poor petitioners to the House: He was glad that he could, at last, in his place in Parliament, expose the total want of foundation for the statements, amounting to misrepresentations, arising doubtless from great misapprehension, which had been put forth out of doors as to his intentions, and the motives by which he was actuated in bringing forward this motion. One influential journal, *The Times,* had threatened him the very day after his first notice, with the "storm of public indignation." Even to one accustomed like himself, to the more formidable pelting of the storms of his native hills, such a threat, coming from a quarter which asserted its possession of the principal patent for the manufacture of that sort of storm would have been formidable, but for the consciousness that he carried about with him no intention which could attract its thunders to himself. Another of less influence, but not of less pretension, *The Chronicle,* in the shape of a letter signed a Coal-owner—*lucus a non lucendo,* he should say—for the entire ignorance of his subject displayed by that disinterested and imaginary proprietor, held up colliers and coal-owners, and all their generations past and to come, and all connected with them—himself and his motion among the rest—to the reprobation of an enlightened public. *The Herald* also, the friend *par excellence* of humanity, sounded an alarm in all the camps of the philanthropists. This atrocious motion coming from such a quarter proved that the enemies of the human race were only scotched not killed—that they were again about to resume the offensive, and spring Heaven knows how many mines on them. Some even of his own friends wrote, expressing their grief and astonishment, that he should be the person to propose restoring all the evils of female infant labour in the mines: and more important than all the rest, the Presbytery of Edinburgh, at their meeting on the 29th of April, sitting "*en comite de salut publique,*" after refusing to recommend that the veto act should be rescinded by the assembly, took up the matter, and Dr. Candlish gave notice—

"That at next meeting he would bring under the attention of the Presbytery the proposal in Parliament to interfere with the provisions of Lord Ashley's bill, in so far as respected the employment of females under ground; if such were persevered in in Parliament, he would bring the matter under the notice of the Presbytery."

This occurred soon after the discussion in this House on the claims of the Kirk, in which he had felt it his duty to express a strong opinion against the concession of the claims put forward by that Church. He could not suppose that this circumstance had in any way influenced the notice thus given by the rev. gentleman. All who knew him were aware of the peculiar meekness, and mildness, and christian gentleness of his disposition; that he was incapable of entertaining any feeling of irritation against those who differed with him —"*tantæne animis cœlestibus iræ*" might be said of any one rather than him, and although there were no collieries within the bounds of the Presbytery of Edinburgh, he doubtless considered this as a spiritual matter, and as such falling properly within the exclusive jurisdiction of the venerable court. It was, however, but fair, that he should make hon. Members aware that such a notice had been given, and that in voting for his motion they might expose themselves to ecclesiastical censure. All this, notwithstanding, he felt it his duty to persevere in his determination of calling the attention of the House to the petitions which he had presented for the collieries in Scotland. They were ten in number, besides petitions from other bodies and individuals unconnected with the collieries, such as that he had this day presented from the magistrates and town council of Falkirk, —and besides the signatures of many hundred men, the signatures of upwards of 1,000 females were, he believed, attached to them. They all complained of the same grievance;—they all sought the same remedy. An hon. Member had remarked to him, that on some of these petitions, many of the signatures appeared to be written by the same hand. He had inquired as to this, and was assured by Mr. Bruce of Kennet, formerly a Member of the House, and by a schoolmaster who had transmitted one of the petitions, that all the parties were present and consenting when, at their own request, a comrade signed for them. In bringing this matter before them, he was anxious not to trespass at greater length on the indulgence of the House than might be necessary to lay the reasonableness and urgency of the prayer of the petitioners fairly before it. Nothing but a sense of the duty which he owed to a most useful and meritorious class of his countrymen, who had entrusted their petitions to his care, and confided their cause to his advocacy, combined with a strong conviction that they complained of a real and substantial grievance inflicted on them by the recent, and he must add, precipitate legislation of Parliament—a grievance which justice, and humanity rightly understood, alike called on them to remedy, could have induced him to call the particular attention of the House to these petitions, or to conclude with the motion of which he had given notice, of asking leave to bring in a bill in accordance with the prayer of the petitions. In doing so, he felt that it was very necessary for him to claim the particular indulgence of the House, for he was not insensible to the prejudice which at first sight might be created in the minds of hon. Members against what might appear, and might be represented as an attempt to go back from that advance in the career of merciful and generous legislation in favor of the working classes which the House had so recently sanctioned, and he exposed himself with reluctance to the imputation of wishing to recede from it. But if ever there was an occasion on which the details, the realities, so to speak, of humanity, had been sacrificed in the endeavour to carry its principles on a large and sweeping scale into practical effect, the case of the bill against one of the provisions of which these petitioners appealed, furnished that occasion;—and such being his conviction, he could not allow his fear of that imputation, nor even his approval of the principle and general details of the bill itself, to blind him as to the individual hardship and suffering which has inevitably been caused by it, nor to dispense him from the obligation of endeavouring to persuade the House to obviate that suffering and that hardship. He did so the more willingly, because the infliction of them was not necessary—was not required to give effect to the principle of that bill—of its principle, generally, he approved. He gave the noble Lord the author of it, the fullest credit for the motives by which he was actuated in bringing it forward. He was persuaded, that his motives were those of the purest benevolence, of the most anxious desire to benefit the labouring classes of his countrymen. But, unhappily, the purity and benevolence of his motives did not exempt him from liability to failure in the choice of the means by which he might endeavour to give them practical effect, and the very intensity of that zeal in the cause of humanity by which he was so eminently distinguished, which did him so much honor, and which had secured for him in so high a degree the gratitude and admiration of his country,—sentiments in which he entirely participated,—had a tendency to make him overlook the practical difficulties in his way, and the amount of suffering and distress which might arise from his attempts to attain too rapidly, and without sufficient caution, the objects he had so meritoriously in view. That a great amount of suffering and distress must be occasioned, and has been caused by that part of the enactment of which these petitioners complained, unless Parliament interposed to prevent it, he could not for a moment doubt, and he did trust that their case had but to be plainly and simply stated to the House to induce it—nay, to induce the noble Lord himself, to grant them the relief for which they prayed. Now, their case was simply this. But before stating it, he would tell the House the extent of relief for which they prayed. He had no wish to interfere with the principle of the bill of last Session, the principle being, that eventually all female labour in the mines should cease. He only wished that it should be carried out without causing unnecessary distress. He did not desire, the petitioners did not desire, that the law should be relaxed, so far as married women, or young persons under eighteen years of age were affected by it. All the colliers with whom he had conversed, admitted, that it was desirable that married women should be excluded from the mines, and left at liberty to attend to the care of their families, and the comfort of their homes; in fact, in many of the collieries they had long been practically excluded. They were not so unanimous as to the exclusion of young women under eighteen years of age; but, agreeing as he was disposed to do in deference to the general opinion, that it was desirable that female labour below ground in the collieries should cease, and convinced that this result would be brought about by the exclusion of females under eighteen, since none who had not commenced and been accustomed to this employment before that age, would ever take to it afterwards. He did not propose, that the employment of females under eighteen years of age should any longer be permitted. What he desired to persuade the House to sanction was this—that those females above the age of eighteen, unmarried or widows, till very lately, working in the collieries, should be permitted, if so it pleased them, to continue at such employment. This was the whole length to which he would ask the House to go; it seemed a small concession, but it was one which would prevent a vast amount of suffering and distress. Now, the case of these poor people was simply this: they had been brought up to this employment, and were scarcely capable of any other; but even if capable of it, other employment was not open to them. Hon. Members conversant with the coal districts of Scotland were aware that a prejudice, a very unfounded one, he admitted, existed against employing persons brought up in the collieries. He said, unfounded, because as far as his observation enabled him to judge, the colliers, in regard to their orderly and moral conduct, were superior to some, and equal to most classes of the population, and the petitions which he had presented were accompanied by certificates from the ministers and elders of the parishes within which those collieries were situated which amply bore him out in that assertion; but notwithstanding, the prejudice, from whatever cause arising, existed,—they were looked on as a distinct race,—they seldom intermarried with the other labouring classes, the nature of their employment prevented much intercourse, and so it was that they would have the greatest difficulty in finding employment as household servants or agricultural labourers even if a demand for such labour existed; but none such exists. So great is the depression in agriculture, that the greatest difficulty was experienced in keeping on the old hands at fair wages. But if no such demand existed among the farmers, still less did it exist among the manufacturers. Some of these collieries, for instance, were in the immediate neighbourhood of Dunfermline, a large manufacturing town. But for many months past, the greatest distress, arising from want of employment existed amongst its population. So far back as last November upwards of 1600 persons, weavers and those depending on them in that town were totally destitute of employment. He was assured, that since that period the number had increased rather than diminished. A gentleman well acquainted with the facts, Mr. Grier, had so assured him in a letter written in February last, and added,

> "That though many were still living on their own resources, those resources must soon be exhausted, and the number of claimants on the funds raised by voluntary charity, be greatly increased."

He agreed with his correspondent in trusting that Parliament would not think it right to increase this number by adding to it many hundreds of women now earning an assured and comfortable subsistence at an occupation to which they had been brought up, with which they were familiar, which they liked, which they preferred to any other,—their petitions so assured Government,—and driving them by the obligation of law into forced idleness and inevitable destitution. The law was dictated by a desire to improve their condition, to elevate their morals, to raise their characters;—surely idleness and destitution were bad teachers of morals,—indifferent instruments for the elevation of character,—sorry means for bettering their condition. He entreated the House not to subject them to teachers so severe. But he would go farther and say, that even if the manufacturing prosperity of Dunfermline should revive,—and God grant it might soon revive, for it had long exhibited a picture of suffering deeply painful to contemplate, though it had been borne with a submission and fortitude which it would be impossible too highly to commend; but even if it should revive, and a demand for labour in its now silent workshops and factories should arise,—he denied that they would better either the condition or morals of these women by transferring them from the mines to the factories. He had no wish to speak disparagingly of any class,—but he did not believe that the women employed in the collieries of Scotland had any thing to learn in the way of improved morality from those brought up in the factories; and assuredly the statements made recently in the House by the noble Lord himself as to the deplorable and disgraceful state of things existing in the manufacturing districts of England in regard to morals, rendered it unnecessary for him to adduce any proof in support of that assertion. But then as regarded the comparative healthiness of the two occupations, the thing was a hundred to one in favour of the mines. The evidence reported by the sub-commissioner Mr. Franks from the Elgin colliery, gave a case which placed this beyond all doubt, and, therefore, with the permission of the House he would read it. He quoted from the appendix to the first report of the commissioners p. 497.

"Helen Weir—began to work when nine years old; wrought three years at a factory, and four years in the Elgin colliery. I left the factory work as the stour (dust in a state of motion) made me hoarse, and my legs swelled with the long standing—sister who works with me below tried the factory after me, and left it for the same reason. We have taken to the pit as the hours are not so long nor confining—we work eight or nine hours daily, and get 1*s*. 4*d*. a day—at the coals have ten and eleven days work in the fortnight, but the factory masters made us work twelve days and paid 11*d*.—reads and writes well, is very intelligent, and can knit and tambour."

Here then they had the case of two young girls who had been brought up in the mines, tried the factories, lost their health from the severity of the labour and the unhealthy atmosphere — the stour, meaning probably what has been aptly termed the "devil's dust," returned of their own free choice to the colliery,—recovered their health there, and were as the sub-commissioner reports, remarkably intelligent and well educated. All the medical certificates, of which he held many in his hand from the gentlemen who attended these collieries, affirmed the same conclusion. He should not detain the House by reading them, but there was one from a gentleman whose name justly carried with it such high authority in all matters connected with the humbler classes, to advance whose comfort and happiness seemed the main object of his exertions,—he alluded to Professor Alison—that he was sure the House would allow him to read it. Writing to Dr. Hamilton of Falkirk, a gentleman who had also taken a most benevolent interest in these poor people, Professor Alison says,

"I always thought the prohibition of female labour in mines a hasty measure, and that regulations would be more efficient for the benefit of the poor themselves. Your paper confirms this belief; still it is of great importance to find the Legislature acknowledging the principle of acting for the protection of the lives and health of the community, as well as for the protection of property and wealth."

In a subsequent letter of the 6th May he says,

"I have no objection to your making any use you please of the opinion I gave you on the employment of females in mines, provided only you give the whole sentence, in which I say something of the importance of the Legislature recognising the health and comfort of the people as a fit object of its care. It is not easy to get persons who do not know the practical condition of the poor to understand, that the greatest of their evils is poverty, and want of employment the worst form of poverty."

So far Dr. Alison—Dr. Walker, a highly respectable magistrate residing in Stirlingshire, and no coal owner, bears testimony to the same facts. Writing to him on the subject of a meeting held in the parish of Polmont, on the 24th of March, to consider the distress occasioned by the act, 200 females having been thrown by it in that single parish out of work. He says,

> "The meeting examined several of the work-people, both men and women, and were satisfied that none of the abuses had prevailed which had given occasion to the passing of the act. Two of the females who appeared before it had been employed as domestic servants before they went to work in the pits, but said they much preferred the latter as not such hard work, and all of them considered it easier than field labour, and more healthy as being less exposed to the vicissitudes and inclemencies of the weather. This statement as to the healthiness of the employment was confirmed by others not immediately connected with the works, among others by the parish minister, who also gave the strongest testimony in favor of the state of morals among them."

The sub-commissioner, Mr. Tancred too, in his report, of which he should only say that it stood in most favorable contrast for fairness with that of Mr. Franks, at page 345 of his report, speaks most favorably of the physical condition of the colliers, and at page 324 he states, that Putting (the work chiefly done by women) is not severe. He says,

> "Thus the drawing, though occasionally hard work, admits of frequent periods of rest and refreshment. I heard of no complaints from the children of over-fatigue, or of being oppressed by the workmen for whom they draw, who are usually the father, elder brother, or nearest relation, nor do medical men attribute any physical injury to drawing."

He (Mr. C. Bruce) trusted he had said enough to prove the healthiness of the employment. He should now recal to the House the fact that at present, even if it were otherwise, there was no question of transferring the labour of these people to the factories. He had already shown that the population employed in them was pressed down by the excess of supply over the demand for labour, and he would entreat the House not to suffer the Legislation of the country to add to that excess, and thus augment an amount of suffering already sufficiently grievous. The House must recollect that there are in Scotland no laws entitling the able-bodied unemployed poor to relief—and he was one of those who entertained a very strong opinion that as far as the labouring classes were themselves concerned, they were much better without them,—indeed, in such a case as the present distress at Dunfermline, as in that recently existing in Paisley, sufficient relief was obviously beyond the reach of any Poor-law; at Paisley, for example, the whole property of the parish would not have maintained the unemployed for three months;—but such a law, if it existed, might have held out a present, though a miserable, shelter to these poor people. No such refuge, however, was open to them. The law against which they implored the House to protect them, would condemn not only themselves, but as in their own touching language they tell you "their aged parents and young brothers and sisters to want and destitution." To him it seemed impossible that the House, that the noble Lord himself should seek to maintain it to this extent. [Lord Ashley here made some observation.] The noble Lord said, put your hands in your pockets. He was astonished to hear the noble Lord treat the distress of these poor people so lightly. Did he know the circumstances of the lessees of the mines? Did he know that the depression in every branch of trade had not reached them—was this an answer to these people, reduced by his legislation to destitution — did he pretend to guarantee to them this relief. He was astonished at the course the noble Lord seemed resolved to follow—he regretted it for the noble Lord's own sake. The noble Lord was raising up obstacles against his own future progress in his attempts to legislate for the poor. He might depend upon it that people would apply to such legislation the principles of common humanity and common sense, and when they saw him producing distress of this fearful kind, and treating it so lightly when produced, while they did not question his motives, they would be induced to doubt his judgment, and consider him any thing rather than a safe guide in such matters. But, however the noble Lord might view it, he trusted the House would not seek to maintain the law to this extent. It was passed precipitately, without sufficient deliberation, on evidence very loosely taken, on statements of facts greatly exaggerated. For himself, he confessed that he was disposed to view with suspicion the evidence taken by sub-commissioners in most instances, and he thought he could show the House that he was justified in such suspicion. They were not unfrequently nominated in consequence of their known opinions of a particular cast. They sat about their enquiries, with perfect honesty he doubted not, but with their minds previously made up that all evidence should be received with suspicion which did not tend to confirm conclusions of the soundness and justice of which they were already convinced. The conduct of the gentleman who reported on the collieries from which the petitions he had presented proceeded, proved in how cursory a way he had conducted his enquiries. He did not go below ground. He did not see the women at their work. He contented himself with examining such of them as he found accidentally in their houses, or at the pit-mouth, and then retired to take, like Falstaff, "his ease at his inn," and arrange the information he had thus received, and make drawings, not of what he had seen, but embodying the impressions which an imagination fertile in horrors had suggested. Now he (Mr. C. Bruce) did not wish the House to take this on his authority—he would prove it. Mr. Grier, the manager of the Elgin Colliery wrote as follows:—

"The sub-commissioner, Mr. Franks, reports pretty accurately the evidence he received from the young persons with whom he came in contact; they were seven in number, of whom only one was a person of any experience. He did not go down our pits, nor see any of the females actually at their employments. He only remained a short time at the pit-head, and saw a few females ascending and descending the shaft; and I have been informed by the managers of Wellwood, Townhill, Halbeath, Fordell, and Donnibristle collieries, that he did not descend any of their pits, nor see the women at their employment; and to the want of personal inspection I am led to conclude that several inaccuracies have occurred in the general report with regard to the height of the roads, &c. that the females are employed in, and their positions when at work. The height of the road is frequently stated at the height of the seam, but though it may be very thin, the roads for conveying the coal are always made high for the convenience of the Putters."

This gives the evidence of six collieries. Mr. Dawson, manager of Carron works, writes,

"Mr. Franks, who visited our collieries, appears to have had little to find fault with, though there are many inaccuracies in his report. He did not go down our pits, nor see the people at their work; but got all his information by making enquiries above ground."

He could multiply quotations from other collieries, asserting the same thing; and, really he could attach little value to evidence so collected. But this was not his principal complaint against the report on which these mines were condemned, and the evidence on which the law was passed. For the first time, in any report of evidence presented to the House on a great public question of this sort, the royal road was taken of communicating information through the eye. Engravings were presented for the edification of hon. Members who had no time for reading, or of that still more numerous class who might be frightened by the bulk of two ponderous volumes, exhibiting the women in every possible condition of degradation and suffering. But, surely those who looked at the report, and trusted to it for enabling them to form an accurate judgment, had a right to suppose that those drawings, thus presented in a grave public document, were made from actual observation, and exhibited the result of what the reporter had actually seen; sketches, in short, from nature, taken on the spot. No such thing. He would take the case of Margaret Heaps, the worst and most revolting of these representations. Mr. Franks thus describes her at p. 383, sec. 8, of his report:—

"The workings in the narrow seams are sometimes 100 to 200 yards from the main roads, so that the females have to crawl backwards and forwards with their small carts, in seams, in many cases, not exceeding twenty-two to twenty-eight inches in height. This will be found illustrated in the case of Margaret Heaps, coal-putter, numbered 231 in the evidence."

And then the engraving is inserted—

"The danger and the difficulty of dragging on roads, dipping from one in three to one in six feet, may be more easily conceived than explained; and the state in which the females are after pulling like horses through these holes—their perspiration, their exhaustion, and very frequently their tears, it is painful in the extreme to witness."

Now he (Mr. C. Bruce) begged the House to mark this expression. Mr. Franks said, it was painful in the extreme to witness the state of this poor Margaret Heaps. Now, what if he should prove that Mr. Franks had never witnessed it at all; never personally inspected the mine in which she worked—never saw her at her work, and that the whole story was one of pure imagination. Could the House trust to such a report, to such a reporter—and if he showed that this was a case of the grossest exaggeration and inaccuracy, should he not throw grave doubts on every other similar statement of this reporter. Mr. Franks went on to give the evidence of this woman as follows:—

"My employment is, after reaching the

wall-face, to fill a bogie or slype with two and a-half to three hundred weight of coal. I then hook it on to my chain and drag it through the seam, which is twenty-two to twenty-eight inches high, till I get to the main road, a good distance, probably from 200 to 400 yards; the pavement I drag over is wet, and I am obliged at all times to crawl on my hands and feet. I throw the contents of the bogies into the carts till they are filled, and then run them on the iron rails to the shaft, a distance of 400 or 500 yards."

In a note to this, the floor is described as "soft and slushy." He should now show the House what the real state of this case was, and on the evidence of the overseer of the mine in which she worked, on that of a highly respectable gentleman who had no interest in the mines, but such as his humanity prompted him to take; on the evidence of the woman herself, voluntarily emitted in a deposition made before and certified by the provost of Falkirk, and signed by her own hand, he would prove that Mr. Franks had never seen her at her work, and had grossly exaggerated its nature, extent, and circumstances.

Mr. Dawson thus wrote,—

"In the evidence regarding Standrigg colliery, Mr. Franks has given a very erroneous account of the nature of the work of females, and has made a gross caricature of a female drawing coals in it.—(Report, p. 95; App. P. 1, p. 383). Alexander Borrowman, who was overseer of that colliery when Mr. Franks visited it, is now overseer at Kinnaird, and on my showing him Mr. Franks account of the evidence of Margaret Heaps, at once pronounced it very incorrect, and has written a letter to you giving the real state of the pit, and of the work performed by Margaret Heaps, which I now inclose. If you can understand Borrowman's letter, and compare it with the evidence, you will find that Mr. Franks is altogether incorrect in the principal points. He describes her as drawing a bogie or slype from 200 to 400 yards through the seam, where the height of the coal was from twenty-six to twenty-eight inches. Borrowman says, she seldom drew any coals in the height of the seam, which was from twenty-eight to thirty inches, the bogie she used had four wheels, which ran on a good hard pavement, and that at most she could not have drawn it more than ten yards, instead of from 200 to 400, ten yards being the greatest distance that any of the colliers could possibly have to draw in the height of the seam on each side of the road leading to the pit bottom. Mr. Franks made another great mistake in stating the distance the coals were drawn on the tubs or carts from the wall-face to the pit bottom at 500 yards. Borrowman says, it was only about 110 yards. I have every reason to believe, that Borrowman's account is substantially correct, and that the account given in the printed evidence, as well probably as many other similar statements, is extremely incorrect, or highly exaggerated, and twisted to suit a particular purpose."

He would not detain the House by reading Borrowman's letter which he held in his hand, and which exactly confirmed Mr. Dawson's account of it; but he must beg leave to read the letter of Mr. Henry Aitken. This gentleman, as his hon. Friend beside him, the Member for Stirlingshire informed him, had been a great advocate for excluding females from the mines. His letter showed the circumstances which had induced him to change his opinion as regarded those recently employed. He might here say, that the petition presented to the meeting to which Mr. Aitken referred, was written by a working collier. He had it before him, and it did the writer great credit. But Mr. Aitken's letter showed also some of the bad effects which, as regarded the education of the colliers, the bill was producing, and therefore he would read it:—

"I sometime ago attended a meeting at Larhert along with Sir Michael Bruce, the rev. Mr. Bonar, Mr. Stirling of Glenbervie, and the manager for Carron company, in order to receive a deputation from the women formerly employed in the coal-works at Kinnaird and Carron-hall, who gave an account of the great wretchedness and want occasioned amongst them by being against their own inclinations prevented from working, and being satisfied of the unjustness of the act which has so materially injured the condition of these women, I have since taken a deep interest in the matter.

"I could put little confidence in Mr. Franks's report, and notes of evidence as he seems to me to have acted only on one side of the question.

"There is an important fact, and which in my opinion, goes far to vitiate Mr. Franks's report, that he did not in this quarter go down a single pit, without doing which any thing like an idea of the state of the work-people while under ground could not be got.

"I learned that the witness, Margaret Heaps, denied that her evidence had been accurately reported. I sent for her, and she came down to-day along with her father, and I inclose a declaration made by her, which speaks for itself and shows the inaccuracy of Mr. Franks's notes of evidence. You will observe, that she has signed her declaration with her own hand.

"Margaret Heaps' father being able to work, she is not in want; but there are few cases where the women are removed which has not been attended with very detrimental consequences, and the present is not an exception, as her father informed me that he had a son aged about twelve, when the bill passed. He was at this time at school, and evinced very considerable talent; so much so, that he was determined to give him the very best education which his circumstances would permit; but when he was by the act deprived of the services of his daughter, he found he was not able to keep the boy at school, support his family, and keep a drawer; and he was reluctantly forced to take him from school and put him in his sister's place in the pit. The father has all the appearance of what, in Scotland, we call a decent man, and has good 'common sense;' and he considered it hard, that people who must either starve or work, should not be allowed to carry their labour to the only market open for it."

He (Mr. C. Bruce) had also before him the deposition of Margaret Heaps herself. He would only trouble the House with extracts from it. It entirely confirmed the account given by Borrowman, denying that Mr. Franks had accurately reported her evidence. She affirmed,—

"That the side roads, instead of 400 did not exceed nine yards; that the work in them was done by her brothers, the family consisting of ten children; that she never worked in those low roads except occasionally, and of her own accord, to forward the work. That it was not true that the road on which she worked was wet; it was hard and dry, and from four to six feet high. That it was not true that time was not allowed for meals, as an hour was allowed for breakfast, and one for dinner. That she preferred the work to field labour. That their food was nutritious and sufficient; and not such as was described in the report. That of her own accord she sometimes worked an extra shift, that she might get money to purchase better clothes to enable her to attend church, which she did regularly, not being absent above twice in the year. That she attended the communion; and knew that the other colliers attended church as regularly as any class, and perhaps more so."

And her deposition is certified by the Provost of Falkirk, in whose presence she read a chapter of the Bible, and signed her own name. He trusted he had now disposed of the case of Margaret Heaps. He had dwelt on it more particularly, because if he showed exaggeration and inaccuracy in her case, it proved that the report was not deserving of confidence. Now the consequence of this sort of proceeding—he alluded to the engravings by which the report was illustrated — was, that a general impression was most unfairly conveyed, that such descriptions applied to all mines in general, and that such revolting labour was a necessary condition of working in the mines; and thus, what might have been an approach to truth in some one or two mines, which, if true called loudly for correction, and might have been easily corrected, was applied in the minds of persons uninformed on the subject, to all collieries without exception. This was unfair and improper in the extreme. Nothing of the sort represented in these works of imagination existed in the mines from which these petitions proceeded. They were perfectly dry; the height of the roads rendered no irksome posture necessary; the people descend to their work by stairs, or in a way perfectly safe and commodious; iron rails are laid below ground; and the women worked together, or under the eye of their parents and relatives, as was indeed fairly stated in the much fairer report of Mr. Tancred. Was it then fitting that the House, under such circumstances should persevere in an enactment against which those affected by it unanimously protest? Now when he said they unanimously protested, he knew it would be said that these petitions had been got up and signed at the bidding of the proprietors and managers of the mines. True, their statements as to the moral condition and health of the collier population were confirmed by the certificates of the ministers and elders, and medical men who attended them;—but they too were under the influence of the coal-owners, and dared not refuse their request. He could only say, that whoever made such an assertion did it in entire ignorance of the character of the ministers and medical practitioners in Scotland, and he contented himself with assuring the House that such assertion was totally groundless. He asserted that these petitions did not originate in any such influence, they proceeded, *motu proprio*, from the workpeople themselves. This was no coal-owners question. In the mines with which he was acquainted, the exclusion or retention of the women employed up to the 1st of March, was as a matter of profit, one of very slight importance. He could truly assert that he had never received a single communication on the subject from a single coal owner in Scotland. He had taken it up solely at the earnest request of the colliers themselves. The only coal-owner whose opinion he had consulted was one who had a very small interest in coal property, and that interest could not be affected by the cost at which the coal was raised, for he was paid by a fixed rent, or royalty, which did not vary with the price paid for raising the coal—that coal-owner was himself. He need scarcely disclaim any personal motives, having so frequently stated to the House that he was influenced to interfere solely by the representations of the workpeople themselves; and he would say the same of the only two managers who had communicated with him. When in Scotland, last summer, at the time of the passing of the Colliery Bill, being detained there by the delicate health of a member of his family, he had been waited on by a deputation of colliers, whose families had long been settled in the neighbourhood, imploring him to use his influence to prevent the passing of the clause against which they now petitioned. They were common working-men, but they spoke with an energy and eloquence which nothing but truth, and a strong conviction of the evils which threatened them, could have inspired. There was no influence of the manager used to prompt their earnest pleadings in behalf of their own female relatives, and of their old and infirm fellow-labourers in the mines, till now supported in comfortable independence by the pious labours of their children. And why should the House desire to interfere with this charity, which if any, was surely doubly blest, that offered by a dutiful child to an affectionate parent? One of them, a man advanced in years, and who had brought up a large family in respectability, besought him (Mr. C. Bruce) to allow him to bring his two daughters that he might hear them speak for themselves. "There were not," he said "twa bonnier lasses, or better conducted in the parish." Another, in February last, walked nearly thirty miles that he might put his petition into his (Mr. C. Bruce's) own hand. Having missed him in the morning, he walked for hours before the door where he expected to find him, being resolved, he said, not to return home till he had delivered it. He entered at great length into the subject of it, and showed many letters which he had received from various hon. Members with whom he had corresponded. Letters which he (Mr. C. Bruce must say justified his remark on most of the writers,—" that they seemed no to ken muckle about the matter." All, however, promised their attention to the case, some, as the hon. Member for Greenock, wrote with much kindness and feeling. Let him then implore the House not to turn a deaf ear to the petitions of such people. There is distress enough in the country without your seeking to aggravate it by such legislation; and when the House considered the orderly and peaceable conduct by which, in general, the colliers had been distinguished in the most excited times, he did trust that they would be considered as entitled to have some voice in deciding on the enactment of a law by which they were so materially, he had almost said, exclusively, affected. But, perhaps, in alluding to the orderly conduct of the collier population — to the absence of crime by which they are characterized—he was injuring rather than advancing the cause which he had undertaken to advocate. True, the report of sub-commissioners who had reported on the collieries for which the petitions he had presented proceeded, confirmed all he could say in this respect. He quoted the prison returns of the district in proof of that exemption, and they bore him out to the fullest extent. But what were the conclusions he drew from the facts thus established—not that we were to read in them a proof that the habits of the colliers were such as to entitle them to our commendation—and their occupation such as, morally speaking, to produce results which called for our approval—but that this very orderly conduct, this exemption from outrage and crime, furnished an additional evidence, if not that their habits were degraded, at least that their occupation was destructive of the energies and qualities of free-born men. He had said before, that these commissioners were liable to act under the influence of preconceived impressions, and disposed to receive with suspicion all evidence, if not to distort all facts, which did not tend to confirm their preconceived impressions; and really the remarks of this sub-commissioner Franks on this branch of his inquiry furnished an instance so palpable and so flagrant of this species of perversion, that he would read to the House that part of the report to which he referred. He would at the same time satisfy the House, that he was not overstating the claims of the colliers, on the ground of their orderly conduct, and their exemption from crime. At page 404, sec. 104, of his report, Mr. Franks says:—

> "In the enumeration of the leading characteristics of the collier community, it would be wrong to pass over the state of crime as it exists among them, such being generally considered as a tolerably good test of the condition and character of a people; and in the pursuit of my inquiry it has often struck me as

singular, that this branch of the subject had not attracted the particular attention of the numerous class to whom I have had occasion to address myself; but in truth, as far as I have been able to judge of the character of the class under consideration, they are more distinguished by an absence of energy, than by that activity of mind which excites to crime; and the prison returns for the year ending 1839, which I have inserted below, sustain my preconceived opinion."

The House would mark this conclusion: was he not right in saying, that with preconceived opinions, these gentlemen set about their inquiries?—but Mr. Franks proceeded to give the prisons' returns—they were as follows:—

> "Alloa, Clackmannanshire: Only 1 prisoner—1 above the average.—Clackmannanshire; No murder or highway robbery during the year, and no heinous offence of any kind; —a good deal of petty crime.—Stirlingshire: Many offences of a petty kind; none serious. —Bothkonnar is particularly noticed as free from crime.—Haddingtonshire: Greatest number of prisoners 22; lowest 5; population 36,000.—Linlithgowshire: 44 prisoners during the year, out of a population of about 27,000. —Dunfermline: Greatest number of prisoners at one time ; lowest 2; no serious crime.
>
> "Section 105.—For Stirling the borough gaol of Falkirk returns 57 as the number of prisoners, out of which 2 are colliers.—For Stirling county, no colliers.—In Haddingtonshire 34, out of which 4 are colliers.—In Dunfermline, 25; of whom 9 are colliers.
>
> "Section 106.—Now, when it is considered that this return extends over at least 5,000 heads of families, who are engaged as hewers, out of a collier population of nearly 30,000, the state of crime must be looked upon as very favourable (non meus hic sermo), and this view of the subject is in perfect accordance with the general opinion of those gentlemen, who being thoroughly acquainted with the character and bent of the colliers, both individually, and as a class, have favoured me with the result of their observations."

Again he states:—

> "That the average amount of illegitimate children born in the course of a year is about one in forty, which when the want of education in the people, and the unrestricted intercourse of the sexes, in consequence of their labouring together in the same pits, are taken into the account, is, by no means, high."

He should presently show, that the reporter was in error in both these circumstances which he proposes to take into the account. Again, in section 110, he says—

> "The district, and objects over which this inquiry extended, presented the aspect of a laborious, uneducated, and uncomplaining population—a population of few vices."

And he quotes a Mr. Ross, who says of the colliers:—

> "They are always respectful, and sometimes warmly attached to their employers, and exhibit none of the pert and discourteous behaviour of the manufacturer; they listen with cheerfulness and much seriousness to the ministers of the gospel who come amongst them; they show, and probably feel less jealousy of their superiors in rank and fortune than is generally shown by other artizans, and they intermeddle not with politics."

And in section 111, Mr. Franks thus summed up his observations:—

> "A population including 7,000 or 8,000 heads of families, leading a mere animal existence, without religious character, without political bias, without political representation, in short, without political status whatever—such and so simple is the character of the people amongst whom my labours have been pursued."

Now, he would ask the House, was it possible to draw conclusions more unwarranted, more unfair, more unjust, more monstrously absurd, than were thus drawn by this learned gentleman from the data on which he founded them. The absence of crime Mr. Franks cannot deny. In the parish of Bothkennar, noted in the prison returns as altogether free from crime, the far greater number of the population round its church are colliers in the employment of the Carron company, whose petition was before the House. Yet instead of ascribing it to them as a merit, he insinuates it as a fault. He reads in it a proof of want of energy, of want of intelligence, of deficiency in the qualities by which free men ought to be distinguished; it confirms his preconceived impressions, and to get rid of so lamentable a state of things, to inspire the colliers with a distaste for the restraints of morality and law, to imbue them with a commendable alacrity in their violation, he calls on you so to legislate as to wipe out this stain of apathy from their characters. He tells you that they are industrious, peaceable, contented—distinguished by few crimes, or rather by an exemption from crime; and he uses the terms reproachfully—scarcely a single cold expression, interlarded for decency sake, of satisfaction that such is the character of these people, escapes from him. Is it not monstrous, that he should not have had the common sense, or the common candour to attribute these results to their true source—that source established as the true one by the certificates of the ministers and elders of the parishes in which these collieries are situated, the only source from which such qualities among such a population can flow—their knowledge of their duty to God, and as flowing from that knowledge, their practice, in resignation and contentedness, of the duties of their station towards their fellow men. To him, (Mr. C. Bruce) it seemed that these qualities, thus damned by faintest praise, were just those which we ought most to prize, most to cultivate in the working population, just those, which in a moral point of view, raised them to an equality with ourselves, and therefore on their possession those qualities he urged on the House their claim to its consideration. He confessed he found it difficult to account for the extraordinary conclusions on which he had been remarking, unless on a supposition suggested by certain words in the report—speaking of the characteristics of the colliers, Mr. Franks says, they are

> "Without political bias, without political representation, in short (the master-evil) without political status whatever."

Now, it might be, that Mr. Franks was an ultra-Liberal in politics, and like many gentlemen holding extreme opinions of that sort, conscientiously and firmly held the opinion that all other qualities were worthless and of no account where the blight of indifference to political franchise had fallen on and withered them. Now, was Mr. Franks an ultra-Liberal? The noble Lord gave no answer; probably he did not know, or it might be a little ruse, a pious fraud, to excite the sympathies and secure the votes of hon. Gentlemen opposite, whose abstract principles of political economy, he apprehended, might disincline them to sanction a bill which so materially interfered with those principles. But then surely the proper remedy was to admit them to the franchise—not to exclude the women from the mines. But it might be said, that in thus urging the general good conduct and good qualities of the collier population, and in remarking, as he had felt it his duty to do, on the inaccuracies of the reports, as far as they related to the collieries from which he had presented petitions, on the faith of which the bill of last Session was passed, he was going beyond the limited objects his motion had in view, that he was laying the ground of protest against the whole bill, to the general principle of which he had professed his adherence, and that such a course of observation justified the suspicion that such was in reality the object he had in view. He protested most earnestly against any such inference. The condition and character of these petitioners, had been represented as such, and so degraded that nothing short of the measure of last Session could be effectually applied to elevate and improve them. He wished to show, that the disease and its symptoms had been exaggerated,—it was incumbent on him to prove this, in order to satisfy the House that remedies gentler and more gradual in their operation would suffice for its cure. But the opinion of the public had been pronounced on its existence, it had been pronounced against the permanently continued employment of females in the mines; and he bowed to that opinion. It had been pronounced in the name of humanity; he desired that the interests of humanity should not be outraged in the name of humanity. The procession to her temple would not be rendered more sacred—not more acceptable to the divinity whom they desired to honour, by the number of victims crushed beneath the wheels of her chariot, or trampled on by the throng of worshippers which bore it onwards in triumph irresistible to her shrine. He had shown that such sacrifice of human comfort, and human life, for such it would be if destitution and misery tended to shorten life—was not necessary towards carrying out the principle of the bill. Public opinion had been pronounced, it had been pronounced against the continued employment of females in the mines, and he acquiesced in the verdict. It had been pronounced on the grounds of humanity, to such grounds only, he had addressed himself. The political economist might tell them, and tell them not without reason, that they were not justified in interfering, as the bill of last Session did interfere, with the only property of a large class of the people—their labour; that they were not justified in dictating to persons of mature age, of an age sufficiently mature to judge for themselves, in what channel they should turn that labour to account. But he was no political economist, and he desired not to use any such argument. Something of ignorance, something of misrepresentation; much, he believed, of exaggeration had contributed to create in the public mind the feeling to which he referred; but it was based on good, on praiseworthy, on generous motives; and such motives, regulated by prudence and common sense, and by a due regard to the actual circumstances of society, could scarce lead to results of which he was disposed to be apprehensive. He agreed then in the verdict; he was willing that it should regulate the eventual future course of employment in the collieries; but he desired, that such considerations of prudence and common sense, that such regard for the actual circumstances of society should preside over its application. He had not wished to detain the House by entering into many details of individuals cases showing the distress and privation occasioned by the operation of the law which he wished the House to alter. Hundreds of such cases had been sent to him, and in justice to the sufferers he would refer to a few of them. At the meeting to which he had referred, presided over by Dr. Walker in the parish of Polmont, it appeared that from one mine alone that of the Redding, ninety-three females were discharged. It would be a low estimate to say, that an equal number depended on them for the means of subsistence. Among the other persons examined was a young woman, by name Forbes. She was one of six unmarried daughters of a widowed mother; five of them had worked on the Redding colliery, earning each 7*s.* 6*d.* of weekly wages—the sixth remained at home to take care of the house and the widowed mother, who was thus supported in comfort and comparative affluence—it was their pride and boast that no stranger contributed to her support. On the 1st of March, they were dismissed from their employment, and were now going about the country in a state of destitution, in search of employment which was not to be found, and their mother, as an aged and infirm person entitled to legal relief, was thrown for relief on the parish. He could state many such cases; but he would say, *Ex uno disce omnes.* The work people examined at that meeting complained of the inaccuracies and exaggerations of the report of Mr. Franks, and that he had shown an evident unwillingness to listen to any evidence which bore favourably on the state and character of the colliers. At the Elgin colliery, 108 females were dismissed, their weekly earnings amounting to 30*l.* 4*s.*, nearly 1,600*l.* annually. There were seventy-nine individuals entirely depending on the earnings of thirty-eight of these females, and now quite destitute. The remaining seventy belonged to families which had still a father or brothers employed in the works, and which though not reduced to absolute want, had their incomes reduced from 3*l.* to 20*s.* a-week, according to the number of the family thus dismissed from employment. Besides the loss of wages, obtained by working only five days in the week, they would in many instances lose the advantage which all those colliers enjoyed of a free house and fuel at a nominal price, of itself no small consideration, for in such a climate as Scotland a good fire was called equal to meat, drink, and clothing. He need not suggest to the House the distress which such diminution in the earnings of a poor family must occasion. They felt it to be nearly intolerable, and besides the distress, this improvident law was causing a universal feeling of irritation and discontent among a hitherto happy and contented population. He called on his right hon. Friend the Secretary for the Home Department to look to this; his right hon. Friend was responsible for the peace and tranquillity of the country, and neither peace nor loyalty could be expected to exist if such distress were allowed to prevail. He (Mr. C. Bruce) would show the House the way in which the partial reduction of wages operated, even where a whole family was not thrown out of employment. There was a case in a return which he held in his hand from the Townhill colliery, whose petition had been printed. William Spouart had earned 15*s.* per week as a coal-hewer; two of his daughters, working with him below ground, earned 13*s.*, thus making the earnings of the family 1*l.* 8*s.* per week. The dismissal of the daughters reduced them by 13*s.*, and the father being obliged to put his own coal, or to pay a stranger for doing it, could only earn 7*s.* 6*d.* His means were thus reduced more than 1*l.* per week. This man had three other children under nine years of age, one of them blind—and this was called humanity. At the Elgin colliery, widow Peter Weir had six daughters and one son employed, earning 2*l.* 8*s.* per week; the wages of her family were reduced to 6*s.* per week. Another widow of the same name, had three daughters and one son at work, earning 1*l.* 6*s.* per week, their weekly earnings were likewise reduced to 6*s.* weekly, and she had to support three other infant children. He would not weary the House by more instances. By a paper he held in his hand it appeared that of eight families at the Elgin colliery, of whom fifty-seven persons had been employed, the weekly wages were reduced from 11*l.* 14*s.* to 3*l.* 4*s.* He could not but deeply lament the change which this must occasion at that colliery which he had visited. No where in Scotland did the cottages of the labourers exhibit a greater air of neatness and comfort, filled with furniture, the cleanness and order of which rivalled any thing he had seen even in Holland, and not yielding to England in the nice cultivation of the gardens attached to them. The noble Lord (Ashley) attached, and justly, much importance to the moral and religious instruction of the people. He would tell the noble Lord the effect his law would have on the excellent schools established in this colliery, and supported by a system of weekly payments, introduced with the best effects by the present judicious manager. The school was thus described by Mr. Franks in the evidence to his report.

"There is in connexion with the works a school, with two well appointed teachers, who have free dwelling houses and coals found them. By a regulation in the management of this work, every person who receives full men's wages is compelled to contribute 1*d.* per week to the school fund, and 1½*d.* for every child's instruction between five and ten years of age. Any young person who may choose to attend the evening school is free to do so on the payment of 1*d.* per week, and from these funds, without any additional charge, the teachers are paid. Education has wrought in this colliery the most beneficial effects. Twenty-five years since the conduct of the people here was of that nature that few people thought themselves safe near the spot after dark. Now a more sober set of work people are not to be found in Scotland; many of the young colliers are musical, and subscribe 1*l.* 1*s.* per week for instruction, which is paid to a regular trainer. The Elgin School Register of Attendance shows that 230 children on the average attend the day school, and fifty the night school. Girls as well as boys are instructed; few females attend the night school, as they employ themselves in tambouring, and parents have an objection to the over-instruction of girls. At the last public examination of the Elgin school, many of the lads took prizes for demonstrations in mathematics. It is the best conducted colliery school in the East of Scotland, and the teachers the best trained. The first teacher, in addition to free residence, gardens, coals, &c., is paid 104*l.* per annum."

Now he would tell the House the effect anticipated by the instituter of that school from the measure of last Session. Mr. Grier wrote,

"These reductions on the incomes of the collier families will farther have a most injurious effect upon the morals of the rising generation. The small pittance exacted for school fees, which were the only guarantee for the children attending the school, cannot now be spared, all and more being required for their sustenance. The children will be allowed to fall back into that state of ignorance from which they have so lately been emancipated."

With regard to the other collieries from which he had presented petitions, he would merely state the general results. At Wellwood colliery there had been eighty females employed, earning from 10*d.* to 1*s.* 2*d.* per day, nineteen of them were the only support of fifty-nine individuals, the remaining sixty-one belonged to families, of which some members were still employed, but the incomes of which were reduced as he had shown. At Fordel fifty females were discharged, thirty-four of whom, earning 10*l.* a week, were the sole support of sixty-three individuals. At the Townhill thirty-four were dismissed, on whose earnings, amounting to something more than 500*l.* a-year, sixty-eight persons depended. At Alloa colliery 147 females were discharged, at Clackmannan 105; in both cases they were marked as the sole support of widowed mothers, and younger brothers and sisters. So at the Devon colliery, where ninety-six, and at the Carron collieries, 168 had been discharged, and he could mention several others. In all, from the ten collieries alone whose petitions he had presented, nearly 1000 females, with an equal or greater number depending on them, had been turned out to idleness and destitution. He would not trespass longer on the indulgence of the House. He held in his hand a number of certificates from ministers, elders, medical practitioners, and others, which bore out all he had stated, but he trusted he had made out his case, and that it was not necessary to detain the House by reading them. Before sitting down, he would beg to add a few words. The proposal for leave to bring in a bill in terms of his motion, he understood, was to be opposed by the noble Lord (Lord Ashley); the noble Lord had had the stern courtesy to inform him of his intention to give it every opposition; and he (Mr. C. Bruce) was glad, that if opposed at all, it should be opposed in this stage, because it was better the House should at once decide on it one way or the other. But he was at a loss to anticipate on what ground the noble Lord would oppose it. He could not, indeed, imagine to what hitherto undiscovered land of happiness and morality,—to what unknown island of the blest, the noble Lord wished to direct his course; was it to a land where religion was held in veneration, where morality was respected; where great crimes were unheard of; where industry and contentedness prevailed; where the heartburnings of political strife had no existence? Was that the land at which the noble Lord wished to arrive? Then he would tell the noble Lord that that land was already discovered; its position was already noted, the voyage had been already made, the course already ascertained. The noble Lord had but to steer the same course; and he too, with favouring breezes and propitious heavens, across that ocean of humanity, on which he was so distinguished a navigator, would reach the shore in safety, without throwing overboard and consigning to the deep all those unfortunate females whom he might find on board his vessel, and who supplicated him for permission to be allowed to accompany his course. He (Mr. C. Bruce) said, that course was already known. With regard to veneration for religion, what said Mr. Tancred, your own commissioner. He quotes the evidence of the clerk to Mr. Guthrie, manager of the Kilmarnock mines, who says,—

> "Our colliers go to church on the Sabbath just as regularly as to their work on week days. Mr. Guthrie has got it so imbibed in them; he sets them the example."

The certificates of all the clergymen attached to the petitions confirmed the same thing; then, as regarded their morality, exemption from crime, industry, contentedness, absence of political animosities,—he had already called to the bar Mr. Franks, a reluctant witness, but whose evidence was on that account more valuable. But these results had been attained in many collieries without the exclusion of female labour,—why not, at least as regarded these petitioners, apply the regulations which had produced such good results, to those mines which might present the example of evils deeply to be deplored; utterly condemned, if they do any where exist; but which cannot, when you look at the collieries, which he had described, be considered as evils inherent in the nature of employment in the mines, or necessarily connected with the fact, that female labour had existed in them. Now, it would be no answer to him; no justification of refusing to agree to his motion, to state that great abuse had existed in the collieries of Scotland; to read statements from the report, or other statements in proof of such abuse. He believed all such statements were greatly exaggerated; but he would grant them, for argument sake, to the fullest extent; they furnished no excuse for condemning these poor people, nearly 8,000 of whom had appeared as petitioners at the Bar, whose only crime was, according to the noble Lord, that they had been exposed to great abuses, to the additional and worse evils of idleness and destitution. The abuses might be corrected without taking this short road to their correction of condemning the sufferers to starvation. Many regulations might stand in the place of one harsh enactment. It was said, that in some of the mines women were still employed in carrying great burthens of coal. Such a practice was now extremely rare. He quite agreed with those who condemned it; his bill would contain a clause to prevent that, and all other objectionable labour of the sort. The exclusion of married women and females under eighteen years of age, would go far of itself to correct them. It would be easy to suggest other means, by which they might be further obviated. Mines might be required to have licences from the sheriffs of the counties in which they were situated, to allow of the continued employment of females presently employed in them; and the sheriff might be empowered to withhold, or withdraw such licence, where any circumstance in the state of the mine, or the kind of labour in it, might appear to him to justify his refusing it. To prevent any new females being introduced, those now employed might also be required to obtain the sheriff's licence, and managers might be subjected to penalties, who allowed women without them to be employed. Other remedies might suggest themselves to other Members, which he would willingly consider, and of which he would gladly avail himself. His only object was to save these poor people from great suffering; that all should not be punished because some had in times past cause to complain. And the very principle of the bill, from which he wished to retrench one provision, justified him in the course he proposed. That course was already sanctioned by it; it was already one of the principles of the bill. For did not the bill enact, that the cessation of female labour should be gradual? was not time allowed, and notice given, to enable these women to look for and turn to other employment? and what had been the state of the country since? where were they to find that employment? was it not notorious to every one, that employment in every branch of industry was now more difficult to be obtained, than it was when the House passed this law. He entreated the House to carry out that considerate and humane principle in its spirit, and not to be persuaded by the noble Lord to jump at the attainment of a desirable object by purchasing its instant possession at an expense of suffering, which he confessed he shrank from contemplating. He moved for leave to bring in a bill to amend the Mines and Collieries Act.

Lord *Ashley* said, so general and vigorous an attack had been made upon the act which he had originated, that the House would see the necessity of his occupying some little of their time in defending it, and he trusted for their indulgence while he enumerated the many beneficial effects which had resulted from it already, and pointed out what other results might be expected from it if it was allowed fairly to run its course. He did not think any case had been made out for the interference of the House with the act. Why was Scotland to enjoy an exemption which was not to be extended to England or to Wales? He had received complaints from many parts of the country, saying that Scotland was to enjoy an advantage which was denied to them. Surely the law which was good for regulating the mines in England was equally good for Scotland. They had heard a great deal of the hardships which the females had suffered by being thrown out of employment; but was nothing to be said in favour of the males who had been excluded from labour by the employment of the females. Let the people of Scotland observe the enactments of the law as well as was done in England, and then as good results would follow in the one country as in the other. In order to show what had been done in England he would read an extract of a letter from Dewsbury:—

"The young girls have all been drawn out of the pits, and their places supplied by men and boys. I learn that in the neighbourhood of Barnsley and Silkstone, where you saw so many miserable scenes, it has done a great deal to bring about a more beneficial state of things. . . In some instances the poor weavers, who had nothing else to do, have gone to work instead of the girls."

Was not that a consummation devoutly to be wished? From Silkstone he had received a letter, of which this was an extract:—

"I have just witnessed the emancipation of about thirty young girls and boys from the pits, and they seemed highly delighted, especially the girls, who expressed themselves, 'This is one of the best acts that ever were passed,' for they had long been tired of working in these holes of darkness and misery."

From Huddersfield and Leeds he had the same gratifying accounts. They said,

"The parents are taking the children out quite willingly, and say they have been long grieved to see their daughters made the slaves of a few over-grown unfeeling men. . . . Boys at ten years of age are to take the place of the girls." "I find that the working of the Colliery Act is producing all the good you contemplated. I fell in with four girls, who have been taken into families as domestic servants, and the mistresses say they find them quite willing to learn, ... and regret that such clever females should have been so debased by so disgraceful an employment. I find also that the places in the pits occupied by the girls are filled up by men who are out of work."

He had another account from a correspondent, who dated from near Barnsley, April, 1843:—

"I find it impossible to detail a tithe of the good resulting from the Colliery Act. One female, the wife of a collier, and mother of two girls who worked in pits, told me that she knew not how to give expression to her joy. . . . The husband formerly spent the earnings of the two girls in intoxicating drink, about 9s. a-week, and while in a state of drunkenness he frequently beat her most unmercifully; but being thrown on his own earnings he was led to reflection, and the consequence is that he has become sober in his habits, and also a churchgoer,—a place he never before frequented. A lady has taken one of the girls and sent her to school, where she is to remain for two years. The home, which was formerly like a hell, is now a paradise. This is not a solitary instance; there are many. The girls are going into service, and becoming useful members of society."

He had many details of such cases, and were they not most gratifying to every one who had assisted to pass the bill into a law? Would not the same results take place in Scotland if the same means were taken to produce them? He would read one or two more, if the House would oblige him by their patience; one from collieries near Prescot, in Lancashire:—

"It gives me great pleasure to congratulate you on the improved condition of the poor children already emancipated from the trammels of slavery, ignorance, and disease, many of whom are now placed at the charity schools, receiving an education suitable to their humble circumstances, which in after-life will fit them for situations more congenial to their feelings, and more useful to society. Although females taken from the mines may find some difficulty in obtaining suitable employment, in consequence of their ignorance of household affairs, yet many of them are capable of performing the labour that has been executed by the Irish on the farms in the neighbourhood, and indeed, from their adaptation to work of various kinds, such as potato-planting, hay-making, weeding, reaping, &c., they will have the preference, whilst their places in the mines will be occupied by the other sex, who are now prowling about, and for want of employment are become a public nuisance. I cannot account for the hostility to your humane exertions on any other principle but that of selfishness and short-sightedness, as we ought to consider it is the duty of every man the least interested in his country's welfare to endeavour to improve the condition of the suffering poor, and, if possible, to leave the world better than he found it." "Prowling about, and for want of employment, have become a nuisance;"—

Would the hon. and gallant Member deny that such a state of things existed in Scotland as well as in England? The noble Lord the Member for South Lancashire (Lord F. Egerton), was well known to be the proprietor of a number of collieries, which he (Lord Ashley) had been allowed to visit, and although he was averse to say anything fulsome in the presence of the noble Lord, he must say that anything more kind or more correct than the whole management of that property he had never seen—nay, more, he had not read. He wrote to the noble Lord upon the subject of the working of the bill, and he was favoured with a reply, of which the following was an extract:—

"Worsley, February, 1843.—Of any practical operation in the particular objects of the measure, it is, of course, too early too speak. When a barbarising and demoralising system has been pursued almost from infancy, we cannot expect perceptible effects in an instant, from the mere abrogation of that system. In some respects your measure has had and will have to contend with greater difficulties in this district than in others. Female labour in our pits was a moral evil of the first magnitude. Its physical evils were not in my opinion felt here as they must have been felt in Scotland and elsewhere. Of course at this period of general depression and distress, parents are disposed to count the cost of any measure which cuts off for the moment an addition to their scanty means. In spite of these circumstances, I have met with no parents who did not at once admit that the occupation was unfit for wenches, as they call them here, and I do believe that most of them are glad to have the temptation romoved of subjecting their female offspring to degradation, however lucrative. With regard to the young females themselves, I could wish you no better reward for your labours than to see something of their deportment in the school which Lady F. has opened for their partial instruction. I am sure you would find evidence that your labours were not likely to be vain or fruitless. There is an appetite for instruction, an evident sense of its value, and a decency of behaviour which, considering antecedent circumstances, I confess have surprised me by their prevalence."

The measure would be rendered, indeed, vain and fruitless in Scotland were the measure now proposed to pass; and as it had been attempted to depreciate the authority of those by whom the horrors of the old system had been exposed, he would ask the hon. Member to listen to one or two statements supported by such men as the rev. Mr. Parlane, of Tranent, the rev. Mr. Bannerman, of Ormiston, the rev. Bruce Cunningham, of Prestonpans, and the rev. J. Veitch, of Newbottle:

"With some rare exceptions, few of the children that work in the collieries are taught sewing or other domestic work here. Those who go to mines acquire habits of tippling; it is not uncommon to see children of twelve drunk. Lying, swearing, cruelty, and all sorts of moral evil abound in the future lives of uneducated miners."

Again, Mr. Thomas Goodhall, agent at the Capaldrae colliery, in the county of Fife, writes—

"The colliers are in many places a most barbarous and degraded class; and the employment of females in mines . . . . has done more to destroy the colliers, physically, morally, and intellectually, than any other thing that I know of."

Again, from clergy in private letters—

"In the parish of —— the women and children used to be wrought in a shameful manner, as I have witnessed. I was an assistant in that parish."

Another—

"I can bear personal testimony to the horrible effects of the system."

It should be observed, that petitions, statements, &c., in favour of repeal never mentioned cases of women who bore coal (a horrible toil), only the "trammers and putters." The hon. Member had been very careful to keep out of view all but these comparatively easy descriptions of work; but what said such witnesses as the rev. Mr. Alexander Moxton:—

"That the women worked up to their knees in water; always did the hardest work, and were treated hardly as human."

And what had been the simple, but expressive language, of the Scotchwoman who had been examined as to her own experience of the coal-bearing work? That the labour often produced premature delivery, that it shortened life, or rendered existence miserable.

"Tell Queen Victoria," said she, "That the poor coal-women will feel grateful to her if she will take them from the coal-pits, and give them a better sort of work."

And, said the noble Lord, the Queen has done this; and I hope the good effects of the measure will not now be frustrated and destroyed. There had been something exceedingly suspicious in the petitions represented as proceeding positively from those who had suffered under the old system, and who it was pretended were anxious for its restoration. Upon this point he had some statements to read which he thought would throw some singular light upon the manner in which the petitions had been got up. A gentleman of great experience, in the management of Scotch coal-mines, called it—

"Selfish and most mercenary plans of certain coal-masters and iron-masters to overthrow that most benevolent act." (Again)—"A disgraceful movement." (Again),—"These lamentations for the destitute females are crocodile's tears." "Slavery, oppression, love of gold."

From an agent of great experience:

"The opposition to Lord Ashley's measure might not appear to much advantage if clothed in the garb of pounds, shillings, and pence; and accordingly we find its opponents lamenting the injustice that will be done to poor females, their want and destitution, and so on. Of course, we are all aware that no great change like that contemplated by Lord Ashley's act can take place without causing some inconvenience."

He would now call the attention of the House to a letter from Scotland, dated March 8, 1843:—

"From the knowledge I have of the coal-masters," said a correspondent, "I cannot but say, that such attempts proceed, not from any desire to promote the welfare and comfort of the female miners, but with the view of advancing their own interests and pecuniary gains."

Also he would read extracts of letters from gentlemen of great experience:—

"You will at once see by the despicable and unmanly correspondence, that the movement was not by the poor females; they were dragooned by their masters, and this I know for a fact—I heard the females of an extensive colliery heartily bless you in very affectionate terms." "I assure you I have not found one exception to their full concurrence in the measure." "As to petitions in favour of females remaining in pits emanating from themselves, I am much of the opinion, that were these documents scrutinised to their origin they would be found to arise from the influence of those interested in their degradation." "I know of many instances where, if young females had attempted to leave their employment, all their relations would have been instantly dismissed from their work. It is idle to talk of these poor creatures being at liberty to leave their employment. It is absurd to tell the Legislature, that the petitions are the productions of these poor women. We know the reverse. Want, misery, starvation, &c., are held up before them, and in fact in many instances they are commanded to sign."

The hon. Mover had laid great stress upon the petitions from some of the clergy. But had no influence of a stringent nature been applied even to them? He requested the attention of the House to the following statement:—

"They (the getters up of petitions) waited on the clergy of several parishes where mines abounded, and terrified them by the threat of sending over all and sundry persons discharged under your Lordship's act to their several parishes, a burthen on the scanty means they possess to distribute to the needy. . . . Many of our clergy, who at first rejoiced in the emancipation of the females, have now been dragooned to espouse the cause of the unfeeling mine-masters."

He would now call the especial notice of the House to some extracts from correspondence of masters engaged in getting up petitions. This correspondence was a perfect jewel; an admirable standard for the getters-up of petitions on the voluntary principle:—

"It is a bill," says one, "infringing on the freedom of the subject. My present feeling is, that those who employ females underground should cause those females to petition Parliament in separate bodies." "My own opinion," says another, "is that each work which employs females under ground should get those females to petition both Houses of Parliament."

He entreated the House to mark the care and dexterity of these petitioners. All must appear disinterested and above suspicion."

"I fear," says one coal-owner, "that the heritors in parishes petitioning Parliament would rather be injurious, as their petitioning would evidently be for the purpose of saving themselves, as many of the females would have to apply to the parish for aid. I am now resolved that my female workers shall petition as a body, and should advise all coal-workers to get their females to do so likewise."

In another letter:—

"I have received a letter from the coal-manager of my land; and from his letter, and all that I can learn, the colliers in Clackmannan and Fife are in a state of mutiny, and I understand they all belong to the colliers' union. If such is the case, you may rest satisfied they will not allow the females working in pits to sign any petition by (by what did the House suppose—persuasion?) No; by intimidation."

Such had been the tactics of the getters-up of these pretended petitions. He had been informed, he could assure the House, that in one case a poor widow, who had withdrawn a young girl from the pits, had a small allowance taken away till she sent the child back to the dreadful work. But now there was a petition from 200 or 300 "ladies" of Scotland, who, it seemed, were really desirous of sending back their fellow-countrywomen to the coal-pits. He could not help expressing his regret, that—

"Those whom lace and velvet bless
With all the soft solicitudes of dress."

Should thus come forward for the purpose of consigning poor females to the horrors of coal-pit labour. He was happy to know that no such petitions had proceeded from Englishwomen. And, further, he was delighted to be able to contrast the conduct of the women in our coal districts with that of these Scotch petitioners against some of the most unfortunate of their sex. Had there been any petitions from the women of England, rich or poor, for the return of these females to their disgusting employment? He had heard that in Yorkshire, Lancashire, &c., the females of the middle classes had exerted themselves strenuously in co-operation with the measure, and had opened their doors when necessary to afford a refuge for the poor women who had been rescued from the pits. In one district, where seventy-four had left the mines, all but ten had been forthwith received into the houses of the neighbouring shopkeepers and small innholders, &c., provided with necessaries, and kindly taken care of. This was conduct far more grateful to contemplate than the petitioning of those Scotch ladies, who had done their best to increase the erroneous impression that prevailed among the working classes, that generosity and virtue were not found beneath silks and satins, but under a russet gown and woollen hose. Let him observe that the plan of the hon. Gentleman was very much in mitigation of that which was originally proposed, and in favour of which was the greater part of the petitions that had been presented to the House on this subject. They were for the total repeal of the act, but the nature of the hon. Member's proposition was this—that married women were to be excluded, and none but unmarried women should be retained in the pits. But if they were to keep unmarried women in the pits, were they not taking them from the means of attaining those qualities which belonged to married women? Was it not, in fact, a direct bounty on concubinage? Was it not, introducing, under the pretence of morality, an enormous parliamentary license of concubinage? No doubt there must be in every transition very considerable difficulty. There always had been, and there always would be. But in a letter which he had received from a gentleman of great authority in Scotland, the writer, after speaking of the difficulties attending the introduction of the new law, said he was confident that no reflective man who had had experience of the old system and its demoralising effects would wish for a return to it. He should like the House to observe, that if the masters had obeyed the provisions of the law, and had turned out the women gradually as the law provided, these difficulties would not have occurred. Their duty was to have turned out all females under eighteen within three months, and all others by the 1st of March in the following year. But the fact was that in a vast number of pits they turned out none whatever, and now they said it would create great confusion if they did so. He knew it was the impression of many parts of Scotland that the women were not turned out gradually, as directed by the act, for the sake of creating that confusion. All the communications he had had on the subject stated that to be the impression, and he believed that it was correct. And yet those persons now came forward and asked for an act which should secure to them the profits of their own disobedience. He would now quote from a letter written by a gentleman who had, only six weeks or two months ago, made a tour through the greater part of the colliery districts of

Scotland. That gentleman stated that much as he had studied the evil in the reports, he found the spectacle of it much worse than the description:—

"Female labour in these horribly dangerous places is attended with greater evils than I had formed any conception of; hardships which, above-ground, would not be imposed by the hardest masters, but under-ground females are submitted to labour which would be considered barbarous by any nation under the sun."

The act came into operation in October as to children of tender years; but in many parts of Scotland there were many such children still in the pits, and yet gentlemen came forward to ask for an alteration of that act. Then again, with respect to "hurrying"—with which term he had no doubt hon. Members were familiar—the writer said,

"The hurrying is done by females on all-fours, harnessed like animals; their limbs bear tokens of their barbarous employment, from the cuts of the ragged rocks and tramways through which they thrust their heavy burthens."

But now let him come to that testimony which had been quoted with so much approbation by the hon. Gentleman, in respect to the Carron Company. Now, upon that point the writer of this letter said,

"The colliers of the Carron Company's pits complained to me of the threats which had been resorted to as an inducement to make the colliers sign a petition."

There was the voluntary system again; and where did the petition lie when the colliers were compelled to sign it?

"It lay at the office of the butty; the employment of females being offensive to them, as husbands and fathers, and moreover a cause of loss, as their wages are thereby diminished."

Then this gentleman went on to Joppa Colliery, near Edinburgh; and what did he see there? That which the hon. Member took care not to state—the abominable system of coal-bearing.

"There," said the writer, "the abominable custom of coal-bearing by females is still continued."

He then went on to say,

"Descending a pit a few weeks since, in the neighbourhood of Tranent, I never was more shocked at the degradation of a human being, while the toil and suffering which this labour inflicts are unequalled. Dragging like horses on their hands and knees through seams in the sharp rocks, which barely admit them, the limbs of these poor creatures"—

And this was going on at that moment, in direct violation of the act—

"Are subject to the severest bruises and cuts while harnessed to their heavy pads, which they pull to exhaustion over the tramways, sometimes many inches deep in water."

Only that morning he had received a letter containing this sentence:—

"A woman told me the other day that often when in harness her shoulders were so lacerated that the blood oozed through her garments at the sides of the leathern belt."

And that was the condition of things to which they were to believe that the women petitioned to be restored contrary to all reason—contrary to all nature—and if the hon. Gentleman had not said it, he would say, it was contrary to all decency to make the assertion. The first letter then wound up thus:—

"I am happy in being able to assure you there is but one opinion among the disinterested of Scotland—that the enactment of last Session for prohibiting the employment of women and children in the coal-pits is the greatest possible boon to this portion of the community."

He hoped, then, that House would not entertain the proposition of the hon. Gentleman—that they would not interpose between the operation of an act that came into full force only in March, and which they were now called upon to rescind in every material portion of it in the middle of May. No doubt there were many cases of hardship; but, in all the cases quoted by the hon. Gentleman, they could and ought to have been met by the proprietors themselves. They had had, God knew, enough out of the sinews and muscles of these unhappy creatures, and they were bound by all means in their power to make them compensation. At any rate they had no right to come forward in that House to propose an act, the upshot of which was neither more nor less than to save their own purses from those just and necessary contributions. He would state that, to the honour of Scotland, very many proprietors had shown the greatest feeling and kindness, not only in carrying out the act, but even in anticipating it; but for those who persisted in making these propositions, let him suggest the example of his right hon. Friend at the head of the Government. His right hon.

Friend had a colliery, the lease of which had expired. The tenant, on applying for a further lease, said, that in consequence of this act he could not pay so much rent. His right hon. Friend accordingly abated the rent in proportion. That pit was therefore cleared of females, but no doubt to the loss of the proprietor. He would further say, that there were few cases of hardship in consequence of this act which could not be met by private contributions. He hoped, then, that the House would put its veto upon this and all similar motions. No good could result from allowing the bill to be introduced, and he hoped that the House never would allow the bill to be passed; that they never would allow such a system to be repeated in any part of the kingdom. Better would it be at once to put a veto on the motion, and to declare that the House had passed a measure, and that they would give to that measure a full, and just trial. Let hon. Gentlemen take the opportunity, and affirm by their votes that night the principle which was at all times valuable, but in those days was essentially necessary—that property and station had their duties as well as their rights. With those observations, he begged leave to say " No," emphatically " No," to the motion of the hon. Member.

Mr. *Hume* agreed with the noble Lord as to the principle that property and station had their duties as well as their rights; but the hon. Member for Elginshire had laid before the House as harrowing details as the noble Lord. It would give him satisfaction to see females removed in every part of the country from that degrading system to which they had been subject previous to the act of the noble Lord, and he wished to see industry so rewarded that a man might by his labour alone be able to support his wife and family. But he blamed the noble Lord for using such language as he had done towards those who were advocates of humanity as well as himself. The noble Lord seemed to speak as if no other man than himself had a desire to see the sufferings of these unfortunate creatures relieved. He blamed the noble Lord also for not taking the trouble to ascertain the state of things in the parts alluded to by the hon. mover. He seemed to have industry enough to ascertain particulars in some localities, but what had the proceedings at Dewsbury to do with what had taken place at Bannockburn? Did it not appear that at the latter place 900 women and children had been turned out? [Mr. *C. Bruce:* And from a few collieries.] From a few collieries, and were now starving in consequence of this measure. In a letter also which he had received, with a petition from the chairman of a public meeting, it was said, that at Bannockburn and another place in Scotland a large number of aged men and widows had been reduced to great distress in consequence of this act, from the females by whose labour they had been supported being no longer allowed to work in the mines. The hon. Member for Elginshire had read a statement of Mr. Franks as to the condition of those who were employed in the Elgin colliery; that in no part of the county were the population more moral and comfortable, and that they had all at once been thrown into a state of misery and destitution by this act. Now, the noble Lord had said, with reference to some of the statements of Mr. Franks, that he would not believe any charge against them. That was when those statements were in favour of the noble Lord's views; but was that gentleman to be disbelieved, when he signed a certificate as to the morality that existed at the Elgin colliery? He had known Mr. Franks for many years, and he believed that he would not utter a sentence which he did not believe to be correct; but in those statements upon which the noble Lord relied, that gentleman might have been misled. The petitions presented by him (Mr. Hume) set forth the injustice of throwing so many females out of employment in a county where no Poor-law existed. The noble Lord had not attempted to answer those petitions, but had adduced cases of hardship that had occurred in Yorkshire before the act passed. Much as he was disposed to remedy all existing grievances, he deprecated adding to those evils by hasty legislation. He, therefore, supported the motion of the hon. Gentleman, and thought they ought to allow him to introduce a measure which was calculated gradually to alleviate the evils which had been created by the measure of the last Session.

Sir *J. Graham* said, that he was by no means disposed to question either the ability or the motives of his hon. Friend who had brought forward the motion; but he must say he thought his hon. Friend wrong in saying that their legislation upon that subject had been precipitate; for, in the first place, the act of last year was founded upon voluminous evidence, laboriously collected by a commission appointed to inquire into the subject. It was subject to a great deal of discussion in both Houses of Parliament, and had undergone, at his suggestion, on the part of the Government, very considerable modification. A change so great as this must, however, he admitted, necessarily involve some cases of individual hardship; and, unquestionably, the case of Scotland was different from that of England in reference to the maintenance of the poor; but in England, the success of the measure had been complete. The experience in favour of the system was not confined however to England, for some of the largest proprietors in Scotland many years ago voluntarily introduced that specific change. Amongst them were Mr. Dundas and the Duke of Buccleuch; and the experience of all those gentlemen was uniform that the profits of working the mines were not on the whole diminished by that system, and that the social character of the neighbouring population was greatly improved. His hon. Friend had mentioned Arrochar; and he would appeal to the experience of Mr. Ball, a large proprietor of coal mines there, and a man in whom he (Sir J. Graham) had great confidence. Mr. Ball had been favourable to the measure when it passed; and at the present moment he recommended a strict and rigid adherence to its provisions. The hon. Member for Montrose admitted the principle of the act, and thus the question was narrowed to one of time. Now, taking into account the period over which the inquiries extended, and the discussion on the bill lasted, considerable warning had been given; and he believed that the crisis of the experiment was now passed. His hon. Friend had said that his first impression was highly favourable to the bill of last year; and upon such a subject first impressions were generally the best. He begged to press it upon the recollection of the House, as a great social principle, that they could not degrade the female portion of the population without brutalising the males; and what was the proposal of the hon. Member? That all females above the age of eighteen, unmarried, should be allowed to work in the mines. Why, that was the very class which, of all others, most needed the interference of the Legislature to protect them from this degrading occupation; and as his noble Friend had said, this proposal was, in fact, a penalty upon marriage and a premium on promiscuous intercourse. For the reasons, then, which he had stated, he thought the proposition of his hon. Friend was not one to be entertained; and considering the deliberation which the subject underwent last Session, and before it—considering the entire success of the measure in England, the great probability of its success in Scotland, and the limited extent of the evil of which the hon. Member had complained, he must concur with his noble Friend in resisting the motion.

Mr. *Curteis* said, that he should certainly vote with the noble Lord on that occasion, so strong was his feeling against the continuance of this degrading underground employment of women.

Lord *F. Egerton* said, that he could well understand how persons viewing only the present transition state of society, occasioned by this measure, should see some difficulty in its being carried out to its fullest extent. He could understand the feelings which had led to the present motion, but he could not support it. Though the evil was only alleged to exist in Scotland the bill of the hon. Mover, he perceived, was to extend to Lancashire, and upon that ground he should object to its comprehensiveness. The hon. Member did not pretend to interfere with the principle of the Bill of last year; but his argument went to the extent of showing that there were few better employments for females than this occupation in collieries. His name had been mentioned in relation to this subject with very undeserved praise. If honour were due to any individuals for advancing this improved system, it was due to those who, like the Duke of Buccleuch, in Scotland, and others whom he should mention, in Lancashire, who had years ago voluntarily introduced the system upon their own property. In Lancashire, Mr. William Hulton had perfected, many years ago, that system of exclusion of females, the foundation of which he had only laid a very short time ago, when his noble Friend came forward to assist them by legislation on the subject. The same system had also been pursued in other parts of Lancashire many years since. The hon. Mover had said, that there was nothing indelicate in the treatment of the women thus employed in Scotland—if so, he was glad to hear it; but that was not the case in the part of the country with which he was connected, nor in England generally; where he believed the system was altogether so vicious, that nothing short of its destruction could remedy the evil. If they wished to advance the progress of civilization, and to touch those points of society most akin to barbarous nations and other times, their efforts must be in vain, unless they raised the social character of the females. In those countries where the females were kept by law in a state of degradation, he asked whether it were possible to raise the character of the males. It was a well known fact in Lancashire and other coal districts, that the colliery girls had a good deal more license and liberty than those otherwise employed, as domestic servants, for instance; the girls at the pits had more of her own way, so that in many respects the employment was more attractive; and he had no doubt that many domestic servants, having been formerly in the pits, would gladly return to their previous employment; but he as a legislator anxious for their welfare, would not allow them to return. It was well known that in Lancashire the difficulty of getting a good female servant for a farmer's house was almost insuperable. All individual hardship, was, of course, as far as possible to be prevented; but this was a case in which he thought that legislative interference could not be avoided; in his opinion that interference had been wisely conducted by the ability of his noble Friend, and he therefore felt bound to oppose the motion.

Mr. *Roebuck* felt, that this was a question of the greatest difficulty; it was a question whether the labourer, being *sui generis,* the Legislature was better able to dispose of his labour than the labourer himself, and when he said himself, he included of course herself. When they came to children, he went along with the right hon. Baronet, because, during the years of childhood, the party was subject to the control of parents or guardians, and was besides deficient in experience; but these years past, the age must come when every person must be the best judge of the manner of disposing of his own labour. Was there anything in the female sex which rendered them incapable of judging as to the best disposition of their own labour? That question was now brought before them; the case was a trying one he admitted; their sympathies must be with the noble Lord; and if by persuasion he could induce them to leave those degrading habits of occupation, no man would more rejoice at such a result; but still came round the question—was Parliament in the position to say, " we can better judge of the mode of disposing of your labour than you can yourself. It had been said for the occasion that they couldn't raise the social character of the men, whilst the women were in a degraded condition; he admitted it, but he wanted to know whether the condition of the women was not the reflection and consequence of the condition of the men—whether it was not equally true, that they could not raise the condition of the women without having first raised the condition of the men? It might be said, that it would be very advantageous to legislate in this way for men also—men, who were perfectly *sui juris;* the market for labour was greatly overstocked—it might be considered beneficial to provide that all persons under the age of thirty should be prevented from labouring: women were perfectly competent to judge of their own condition, so were men under thirty; where was the distinction? He could see none, except in their own habits of feeling, with regard to women. He turned to France and Scotland; and there he saw women labouring in the field; he never saw that in England. [An hon. *Member:* At harvest time!] Oh, yes! but there was no comparison between the sort of work which the English women and the French women did in the field. However, let them go to America; there they never saw a woman working out of doors at all; she would consider herself mad to think of doing so, and any one who asked her to do so worse than mad; but that was an entirely different state of society; and he admitted, that in France the people were in a much lower condition, as England was in its social condition superior to Scotland, and as those parts of England, where women followed these pernicious occupations, were in a more degraded and desperate condition than any other parts of the country. Still he asked, could they remedy that by Act of Parliament? He feared, that no great social improvement could be effected by any legislative measure which had an immediate effect upon the mode of employing labour. The hon. Member for Montrose had referred to the petitions of these women, who prayed for permission to continue in these occupations; had they a right to withhold that permission? He, however, was at issue with his hon. Friend the Member for Montrose; for, as his hon. Friend over and over again admitted the principle of the bill of last Session, he must over and over again dispute that principle. He was with them in their consequences, but he quarrelled with their principle. He really wanted to know from the right hon. Baronet, the Home Secretary, or from somebody for him, at what point they might interfere with labour. He could lay down the rule distinctly; when the individual, by his position, was not capable of judging as to the disposal of that which was committed to his use. Why should they peculiarly interfere with women? Because, they were under coercion? [Mr. *Curteis:* Yes, under their parents.] Suppose they had no parents. But he would not argue the point with the hon. Gentleman. Whether true or not, such was not the general opinion. Unmarried women of the lower classes were generally considered, and generally were under no control. The noble Lord (Lord F. Egerton) had said, that his wish to interfere by legislation with the position of women arose from his observation in the East, but there woman's position formed part of a long continuous system, and proved the truth of the principle for which he had been contending, that woman's position was a reflection of man's. He fully sympathised with the feelings of the noble Lord, the Member for Dorsetshire, and the right hon. Baronet, but he could not go along with them in their judgment.

Viscount *Dungannon* thought there was much plausibility in the motion brought forward by the hon. Gentleman (Mr. C. Bruce), particularly after the very able and ingenious speech of the hon. and learned Member for Bath. Every class of the community was most deeply indebted to the noble Lord (Lord Ashley) for his exertions on this subject, and the measure he had introduced ought to be carried out, but with as little concomitant inconvenience as possible, particularly where many might be thrown out of employment. The danger to which married women were exposed in mines operated most strongly upon his mind in coming to the conclusion that Parliament should interfere as proposed by the noble Lord. By the present measure, a great moral evil would be put a stop to, and society at large would derive great benefit. If he was in error, he erred on the safe side, he thought, in voting with the noble Lord, who had introduced one of the most humane and excellent measures ever propounded in Parliament, and whose exertions on this subject had been in every sense most indefatigable.

Mr. *P. M. Stewart* said, the misery and distress which existed in many parts of Scotland had been considerably augmented by this measure, and in the county of Stirling alone nearly 500 families had been added to the number of unemployed. He was during his residence in Scotland, waited upon by a deputation of the husbands and relatives of the women who had been deprived of employment in consequence of the act passed last Session, who were desirous that they should again have the opportunity of obtaining employment. He made personal inquiries on the subject and found that the statements of these parties were not exaggerated; the females were in a state of great destitution, they were deprived of an employment with which they were perfectly satisfied, and were reduced to a state of idleness and misery. They spoke, invariably, of the noble Lord the Member for Dorsetshire (Lord Ashley) with great respect and gratitude; but they said,

> "Pray induce the noble Lord, who has endeavoured to legislate for our welfare, to postpone the period at which we are to be deprived of employment, and not to plunge us into destitution when the country is suffering such severe distress."

He would, therefore, support the motion of the hon. Member for Elgin. The House probably might not be aware, that many of the owners of collieries in Scotland made praiseworthy efforts to benefit those who were in their employment. He knew, for instance, a colliery in Stirlingshire, where there was a library of 500 volumes for the use of the colliers, and where schools were established for the education of the children. He hoped the noble Lord, the Member for Dorsetshire, would take into his consideration the effects which has been produced by the suddenness with which his measure of last Session came into operation. He (Mr. Stewart) merely argued for an extension of the time during which these persons might be employed. To one of the effects of the operation of the recent measure he might be allowed to draw the attention of the House: a poor man employed in one of these collieries was allowed to live in a cottage, in which he might continue to reside so long as any member of his family was engaged in the pit. This was a most beneficial regulation, for if a man met with a serious accident which disabled him, and his wife or daughter continued to work in the colliery, he retained the occupation of his cottage. By the operation of the recent act, however, the claim of many persons in this situation to such continued residence ceased on the 1st of March, for, after that period, their female relatives were precluded from remaining at work in the collieries. The measure had, therefore, tended most materially to increase the destitution which prevailed in Scotland. The noble Lord, the Member for Dorsetshire, called upon the wealthy inhabitants of Scotland to contribute to the relief of this destitution. He begged to inform the noble Lord that they had already done so; but they were unable to keep pace with the progress of the evil. The measure of the noble Lord was brought forward, he was convinced, with the most humane and benevolent motives, and all he asked was, that in the distressed condition of the country at the present moment the additional misery which was produced by throwing out of work a large number of females employed in these collieries might be averted; and fully admitting the soundness of the principle on which the noble Lord had proceeded, he trusted they would permit these women to continue in their employment for a certain period. He conceived that the best mode of accomplishing this object would be by agreeing to the motion of his hon. Friend and the time of extension might be hereafter determined by the House.

Mr. *Forbes* said, he had supported the measure with reference to this subject introduced last Session by the noble Lord the Member for Dorsetshire, but he must say, from what he had since learned, that he had acted somewhat rashly in doing so. His attention was called to the subject during his residence in Scotland, after the close of the last Session; and such representations had been pressed upon him by the magistrates and clergy that he felt it his duty to entreat the House to agree to the motion of his hon. Friend. He thought it was most advisable that the females who had been compelled to desist from their work by the late act should be allowed to continue their employment for three, four, or five years. He had made inquiries as to the effect of the recent measure during his visit to Scotland, and he had endeavoured to ascertain whether the women who had been deprived of work by that measure had been able to obtain other employment. He found that in the great majority of cases they had been unable to do so. In one instance only four women out of seventy-eight succeeded in obtaining employment; and in another case, only six out of ninety; and the effect was, that a great number of these females were reduced to a state of deplorable distress. He hoped, that Government, and the noble Lord, the Member for Dorsetshire, would give this subject their serious consideration, and that they wold permit his hon. Friend to bring in the measure he proposed to introduce.

Mr. *Brotherton* said, it appeared to him, that the object of the motion of the hon. Member for Elginshire (Mr. C. Bruce) was to effect the repeal of the act adopted last Session. He found, from the evidence which had been given on this subject that persons of all classes, agents of collieries, surveyors, and masters, who had devoted their attention to the question, bore testimony to the nature of the employment pursued in these collieries. It had been shown, that the physical effects of the work were most injurious—that it was especially unsuited to females—that it was of a most demoralising tendency, and that it had no countervailing advantages. He considered it, for many reasons, highly desirable that females should be prevented from working in mines and collieries. The hon. Member for Bath had laid down this principle, that it was the duty of the House to legislate with respect to children who were unable to judge for themselves, but that they ought not to legislate for women, who should be regarded as free agents, and who might, if they chose, abstain from the labour. Now he would ask hon. Gentlemen why it was necessary to pass laws at all? If all persons were actuated by proper motives and principles no legislation would be needed; but they had to legislate against self-interest, against dispositions opposed to the general welfare of the community. The noble Lord the Member for South

Lancashire (Lord F. Egerton) had, for a long period, observed the evils which resulted from the employment of females in mines and collieries, and other hon. Members for the same county were desirous that an end should be put to the system. This was, however, a matter of great difficulty; for when an attempt was made to employ boys instead of females, it was resisted by the men, who refused to work themselves unless the women were employed. He was assurred, that it was impossible, without the assistance of the law, for masters to put a stop to this system. It was acknowledged, that the effects of the employment of females were most lamentable, both in a moral and physical point of view; and he thought there was no impropriety in the Legislature interfering with regard to these women as they would do in the case of children of tender age. He hoped the Legislature would not countenance any measure which would tend to countenance the benefits of the present law, which had, he believed, produced most salutary effects.

Mr. *Lockart* said, that in the county which he represented (Lanarkshire) there was a general impression, that if the noble Lord, the Member for Dorsetshire (Lord Ashley) had been aware of the manner in which his measure of last Session would have operated, he would have adopted some such course as that now proposed by the hon. Member for Elginshire. In order to show the feeling which prevailed in the county of Lanark he might state, that a meeting held on the 1st of May attention was called to the late act, excluding females from working in collieries, and it was resolved, that in the opinion of the meeting, it was most inexpedient that females above the age of twenty, who had hitherto been employed in mines, should be excluded therefrom, and thereby thrown out of employment; and the meeting agreed to request the representatives of the county to support in Parliament some modifications of the law. The Presbytery of the same county, also, had on the 5th of April adopted a resolution to the same effect. He had himself made careful inquiries on this subject, and he was surprised at the respectable appearance of many of the persons who were employed in collieries. He found many of them intelligent and well-educated, and they all declared themselves anxious to remain in their employment. One woman told him that she had never known what good health was until she engaged in this species of labour. He had, therefore, great pleasure in supporting the motion of his hon. Friend, the Member for Elginshire; and he was convinced, that if hon. Gentlemen had seen what he had witnessed in Scotland they would follow his example.

Mr. *Hindley* said, he had heard with great astonishment one statement of the hon. Member who had just sat down—that he was told by a female, that she never enjoyed good health until she went to work in a coal-pit. He thought, that statement would enable hon. Gentlemen to estimate the character of this motion, which he hoped they would reject. Although it was right that men should prosecute to the utmost extent any state of manufacture, yet if in so doing they produced a moral or physical nuisance, it was the duty of that House to interfere for its prevention. He must say, that he thought a moral and physical nuisance was produced by the employment of women in coal-pits, and that the House ought to interpose to put down such a nuisance. That had been done already, by the measure introduced by the noble Lord, the Member for Dorsetshire (Lord Ashley) last Session, and he hoped the House would not adopt any retrograde movement. He conceived, that the effect of the motion of the hon. Member for Elginshire would be to restore the abuses and evils which formerly existed; and he was glad that the noble Lord, the Member for South Lancashire, and other hon. Members had supported the hon. Member for Dorsetshire in his opposition to this motion. He hoped the motion would be withdrawn; for he thought the hon. Member for Elginshire must perceive, that however advantageous his proposal might prove to certain proprietors, it could not fail to operate very prejudicially for the working classes. It had been said, that great distress had been produced in consequence of a number of the females who formerly laboured in the collieries having been thrown out of employment; but if the services of these females had been dispensed with, other persons must, he supposed, be employed in their place. He contended, therefore, that while by the measure of last Session they had conferred great advantages on the females, they had also benefited other individuals who obtained the employment of which they had been deprived, without suffering the same physical evils. He opposed the motion.

Mr. Alderman *Thompson* said, that in South Wales, with which district he was connected, the practice of employing females in mines and collieries was wholly unknown, and he believed that the people in that part of the country would submit to ten times the amount of difficulty and distress under which they now laboured, rather than permit their wives and daughters to engage in such labour. Any hon. Members of that House who were practically acquainted with the system of working in coal mines must be fully aware that the employment of females in such labour was most injurious to them, physically and morally. He implored the House, then, not to hesitate in rejecting the proposition of the hon. Member for Elginshire.

Mr. *C. Bruce*, in reply, expressed his regret, that at the time he brought forward this motion, so few hon. Members were present in the House. He must say that he thought the statements he had made to the House had not been shaken; and he begged the House to remember, that while he had adduced facts on the authority of persons whom he named, for many of the statements on the other side no authority had been mentioned. He believed that from 6,000 to 7,000 persons would be affected in various parts of Scotland by the provisions of the bill to which his motion referred. His object was to save them from suffering. With respect to the principle which had been stated by the hon. and learned Member for Bath (Mr. Roebuck), it was not, he would frankly state, on that principle that he had asked the support of the House. On the contrary, he had said, that though political economists might differ from the principle of his motion, he was no political economist, and that the Legislature in his opinion had a right to interfere in favour of females in this case. In many of the remarks of the noble Lord, the Member for South Lancashire (Lord F. Egerton), he entirely concurred; but he wished the House to follow the practice of the noble Lord in his own collieries. He had made preparation some years ago for carrying into effect his benevolent designs in favour of females on his own property, and what he asked the House to do was, to make the same kind of preparation. The noble Lord (Viscount Dungannon) had said that the labour in mines was degrading and immoral; but when the noble Lord said so the noble Lord could not have read the report of the sub-commissioner, Mr. Franks, part of which he had read to the House, and which proved that there was less crime in the coal districts than in most other parts of Scotland. He had also testimonials from clergymen of various denominations in all the colliery districts in favour of the morality of the population. From the report of the sub-commissioner it also appeared that the number of illegitimate children born in the coal districts was less than among any other class of the working population. The hon. Member for Salford (Mr. Brotherton) had accused him of wishing to repeal the late act regulating mines and collieries. Now he utterly protested against that charge. He had no wish to do that. What he wanted to know was, how they were to feed the women whom they drove out of the mines, and what he wanted to do was to prevent them from being starved. It was robbing Peter to pay Paul. He felt that justice and common sense were on his side, and he should therefore divide the House.

The House divided, Ayes 23; Noes 137: Majority 114.

List of the AYES.

Arbuthnott, hon. H.
Arundel and Surrey, Earl of
Bailey, J.
Charteris, hon. F.
Duncan, G.
Forbes, W.
Forster, M.
Gisborne, T.
Howard, P. H.
Hume, J.
Ingestre, Visct.
James, W.
Mackenzie, T.
Mackenzie, W. F.
Mitchell, T. A.
Newport, Visct.
Norreys, Sir D. J.
Pechell, Capt.
Stansfield, W. R. C.
Stewart, P. M.
Traill, G.
Trelawny, J. S.
Wemyss, Capt.

TELLERS.
Bruce, C. L. C.
Lockhart, W.

List of the NOES.

Adare, Visct.
Adderley, C. B.
Allix, J. P.
Antrobus, E.
Baring, hon. W. B.
Baring, rt. hn. F. T.
Barnard, E. G.
Berkeley, hon. Capt.
Blackburne, J. I.
Boldero, H. G.
Borthwick, P.
Bowring, Dr.
Brocklehurst, J.
Brotherton, J.
Bruce, Lord E.
Busfeild, W.
Byng, G.
Cayley, E. S.
Clayton, R. R.
Clerk, Sir G.
Clive, hon. R. H.
Colquhoun, J. C.
Coote, Sir C. H.
Corry, right hon. H.

Courtenay, Lord
Cripps, W.
Curteis, H. B.
Dalrymple, Capt.
Damer, hon. Col.
Dickinson, F. H.
Dodd, G.
Drax, J. S. W. S. E.
Dundas, D.
Dungannon, Visct.
Egerton, Sir P.
Eliot, Lord
Esmonde, Sir T.
Estcourt, T. G. B.
Evans, W.
Fielden, J.
Fellowes, E.
Fitzroy, Lord C.
Flower, Sir J.
Fox, C. R.
Fremantle, Sir T.
Fuller, A. E.
Gaskell, J. Milnes
Gill, T.
Gladstone, Capt.
Glynne, Sir S. R.
Gordon, hon. Capt.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Guest, Sir J.
Hamilton, J. H.
Hamilton, W. J.
Hanmer, Sir J.
Hardinge, rt. hon. Sir H.
Hardy, J.
Hatton, Capt. V.
Hawes, B.
Henley, J. W.
Herbert, hon. S.
Hill, Lord M.
Hindley, C.
Hodgson, F.
Hodgson, R.
Hogg, J. W.
Hope, A.
Hope, G. W.
Hoskins, K.
Howard, hon. H.
Hussey, A.
Hussey, T.
James, Sir W. C.
Jermyn, Earl
Johnson, Gen.
Knatchbull, rt. hn Sir E.
Lambton, H.
Langston, J. H.
Lascelles, hon. W. S.
Legh, G. C.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, H. H.
Mc.Geachy, F. A.
Mangles, R. D.
Martin, C. W.
Master, T. W. C.
Masterman, J.
Mildmay, H. St. J.
Miles, P. W. S.
Miles, W.
Mitcalfe, H.
Mordaunt, Sir J.
Morris, D.
Napier, Sir C.
O'Brien, J.
O'Brien, W. S.
Pakington, J. S.
Peel, rt. hon. Sir R.
Phillpotts, J.
Plumptre, J. P.
Plumridge, Capt.
Pollington, Visct.
Pringle, A.
Protheroe, E.
Rice, E. R.
Rolleston, Col.
Rushbrooke, Col.
Russell, Lord J.
Seale, Sir J. H.
Seymour, Lord
Shaw, rt. hon. F.
Sheil, rt. hon. R. L.
Smith, rt. hn. T. B. C.
Somerset, Lord G.
Stanley, hon. W. O.
Stanton, W. H.
Sutton, hon. H. M.
Thompson, Mr. Ald.
Tollemache, J.
Trench, Sir F. W.
Trevor, hon. G. R.
Vane, Lord H.
Vesey, hon. T.
Watson, W. H.
Wawn, J. T.
Welby, G. E.
Wilbraham, hon. R. B.
Williams, W.
Wortley, hon. J. S.
Young, J.

TELLERS.

Ashley, Lord
Egerton, Lord F.

THE NAVY.] Sir *C. Napier* rose to bring the state of the Navy List under the consideration of the House, and said, that as this was not a party question, he hoped hon. Members would judge for themselves and not be guided by their leaders on either side of the House. It would be remembered that last Session he had brought forward three resolutions on this subject, the first of which stated the opinion of the House that it would be advantageous to have the Admiralty Board composed exclusively of naval officers, and to have one naval officer at the Board of Ordnance. The House had not agreed to those resolutions, but his opinion of the desirableness of the changes they were calculated to effect remained as before. The British navy had won triumphs in every part of the world, both in time of war against the enemy, and in time of peace in putting down the execrable slave-trade, and in other duties, and naval officers had been employed in many parts of the world where there was hardly any Government subsisting, where there were no British consuls or officers of any kind to aid them with their advice, and yet he had the authority of the noble Lord, the late Secretary for Foreign Affairs, for asserting that during ten years not one British naval officer in any one of those difficult situations had ever compromised by his conduct the Government at home. It was felt as a great grievance by naval officers that a naval officer was not at the head of the navy. The right hon. Baronet had asked last Session, was it wise to restrict the choice of the Crown within the narrow limits of the navy? Why he found the navy list contained 190 admirals, consequently it was a less restricted field to choose a head of the Admiralty from than the class of hon. Gentlemen and noble Lords who made extremely long speeches in Parliament, which was the qualification at present. During the period that Lord St. Vincent had been First Lord of the Admiralty, he had found out more abuses in the navy than any of his predecessors. He wished to see a commander-in-chief at the head of the navy who should be wholly responsible for its conduct, and that officers should be appointed by warrant at the head of the dockyards and marines, who should be solely responsible for the conduct of these branches to the Commander-in-Chief. He would then wish the Government to go back to the example set in the time of Queen Anne, and to appoint a Lord High Admiral in the person of Prince Albert, with a board to assist him, and this would give the greatest satisfaction to the navy. He complained also of the manner in which the minor situations in the navy were filled by civilians; even in the case of the appointment of a signal-man to a semaphore a civilian had been chosen, and that system had been followed out in every department of the navy. Why should these appointments be given to civilians who had never struck a blow for the country, instead of placing sailors in them whose pensions would be saved, and who would be available at any moment for service? Another evil was the total irresponsibility of the Navy Board, which had been productive of the greatest evil to the service. It was also a great evil that the board should be moveable, as the members of it were in consequence seldom efficient. Under the present system vessels of war had been built which were totally unfit to go into action without running the risk of being blown up. The war steamer which had been launched the other day approached the nearest to a man-of-war of any vessel which he had seen; but the way in which she was fitted with machinery totally unfitted her for service. Being fitted with cast iron instead of wrought iron machinery, if a shot came into her it would knock all her machinery to pieces. The resolution which he intended to propose was,—

> "That a humble Address be presented to her Majesty, praying her Majesty to give directions that a certain number of old officers shall be allowed to retire on a separate list, with increase of pay, with the view of bringing forward young and active officers."

The opinion of Lord Keith had been in favour of such a system. Lord Keith was of opinion that when a captain arrived at fifty years of age he ought to be allowed to retire if he thought proper. He did not mean to say that captains at that age would retire, but it was an opening for them to do so if they thought themselves unfitted to do their duty with proper energy. Instead of asking this, he only asked the right hon. Baronet to allow post-captains of sixty years of age to retire with the additional pay of 100*l.* a year when they were within 100 of the top of the list. He did not ask this for the benefit of the officers, but of the service. If a war should break out at this moment, he asked whether the Admiralty could refuse employment to these old officers unfitted for service by age, and pass them over? Lord Howe had attempted to do this, and had lost his place in consequence. When a man had been thirty years a captain he had lost the energy which was requisite to carry on his duties. He stated this from his own experience. Some time ago, when he had been appointed to command the *Galatea,* he had thought himself as fitted for the duties of his station as when in the vigour of youth, and had entered on the command with that feeling, and that he should be as able as ever to look into every hole and corner of the ship. But he soon found that every day's work was too much, and put off this duty to twice a week; it then dwindled down to be Sunday's occupation, and at last Sunday was a bore, and he was convinced that he was no more fit now to command such a man-of-war than if he had never been on board afore in his life. It was impossible for any but young men efficiently to perform this duty, and when an old captain commanded, it fell to the first lieutenant of the ship to do it; the officers of the ship then became dissatisfied, and said, "Mr. So-and-So commands the ship, and our captain is an old woman." Under the present system we should never have a rear-admiral under sixty years of age. Was that the manner in which the navy of the country ought to be commanded? It was not, and the right hon. Baronet would incur great responsibility if he kept the navy in such a state. If something were not done, and that speedily, some disaster would befal the fleet of this country. It was absolutely necessary, so far as the country was concerned, that there should be a retired list of captains. The rule was, that one in three should be promoted, which was equal to the mortality. There was a large promotion on the birth of the Prince of Wales in 1841,—a very large promotion indeed. In 1842, after that large promotion, no fewer than twenty-five commanders were made from post-captains, so that according to the rule of promotion seventy-five must have died. What he would recommend was, that the old officers should be rewarded and suffered to retire, and that young officers should be brought forward. His opinion was that for 20,000*l.* a year for pay and retiring allowances to old officers, the service might be rendered much more efficient than it was at present. He concluded by moving his resolution as before given.

Lord *Ingestre* seconded the motion. He entirely concurred in the views of the gallant Mover. He suggested also that young officers should have every opportunity of exercising themselves in naval evolutions and the art of gunnery.

Sir *R. Peel* had no wish to revive the discussion which had taken place last year on the motion of the hon. and gallant Member opposite, with reference to a restriction upon the Crown as to the employment of naval officers in the station of First Lord of the Admiralty. He should be very sorry to imply that any naval officer was disqualified to discharge the important functions, or to lay down a rule for the selection of the First Lord of the Admiralty; but what he objected to was, that the Crown should be restricted in the exercise of its pleasure with reference to that appointment. Indeed, when it was stated that wherever naval officers were called upon to perform civil duties they distinguished themselves for their good conduct and discretion—when he heard these compliments paid he could not think the constitution of the Board of Admiralty so very defective. He thought there were many great advantages from the bringing into the head of the Admiralty an unprofessional man. With respect to the motion, of which the hon. and gallant Officer opposite had given no notice, it was neither more nor less than to ask, according to his own showing, a grant of public money to the amount of 20,000*l.* per annum. [Sir *C. Napier:* I gave notice of a motion for taking the naval list into consideration.] Such were certainly the terms of the notice given by the hon. and gallant Member, and when he had inquired last night what motion the hon. and gallant Member intended to make, the reply he received was, that the hon. and gallant Member was not then prepared to make a speech, which he did not ask the gallant officer to make; but, on the contrary, he had inquired what vote the hon. and gallant Member intended to ask the House to come to to-night. However, no notice whatever had been given of the motion just now proposed—a motion in which he was of opinion a great principle was involved. It was a motion upon which the House ought to support the Government in the exercise of its discretion as to whether or not this amount of money ought to be granted. At all events, it should not be done without full notice. In this case, two gallant Officers, of different politics, wanted to force the Government to concur in a grant of 20,000*l.* per annum. He did not mean to pursue that course, and he trusted the House would support him in resisting a proposition of this kind. If the House consented to the grant of 20,000*l.* a year to be distributed by the First Lord of the Admiralty among the captains of the naval service of a certain standing, it would, in his judgment, abandon its duty. The hon. and gallant Officer proposed that 100 captains now receiving 14*s.* 6*d.* per diem, should have the option of retiring on the receipt of 1*l.* per diem. Now, he had himself given the subject much consideration, and besides this, he had the highest authority for believing, that unless he gave this option to not less than 150 captains, he would do nothing at all. This would entail an expense not of 20,000*l.*, but of 26,000*l.* per annum. Such was the estimate furnished to him. Now, what was the proposition made by the hon. and gallant Member? He said, three or four years must elapse before any extensive promotion could take place, and he called upon the Government to offer to captains of a certain standing, 100*l.* a-year additional in order to induce them to wave their contingent claims to the honour of a flag. How was he to ascertain who would take the offer when it was made? Might it not happen, that the oldest man, desirous of attaining the honour of a flag would not take the offer, and that the option might be accepted by young officers in the receipt of 12*s.* 6*d.* a day, who had no immediate prospect of receiving promotion. But now as to the policy of a retired list at all. Three or four years ago, it had been done away with, and abolished. A naval and military commission had been appointed, and, besides professional men on that commission, there had been Lord Melville and Lord Minto. In addition, there were Sir George Cockburn and Sir Charles Adam; and although Sir Thomas Hardy did not sign the recommendations of the commission, he assented to them. This commission found a retired list of Admirals called Yellow Admirals, and upon that list these authorities said this:

> "Upon full consideration, we confess that the impression on our minds is, that the distinction between the active and retired list of officers is productive of little, if any, real advantage to the public; whilst it operates most disastrously, in some instances, on the feelings

of gallant officers; and, in our opinion, the retired list may, with propriety, be abolished."

The commission also considered the proposition which has been submitted by the hon. and gallant Officer. The report said:—

> "It does not occur to us to suggest to your Majesty the adoption of any other changes in regard to captains' pay on allowances. Various propositions were made to us to recommend the establishment of a retired list for officers of this rank, as well as other ranks in the navy, the particulars of which will be found in the evidence given in the appendix. The whole of those propositions had reference rather to claims arising out of seniority on the prospective list than on service performed, and do not appear to us calculated to advance the public interest to an extent commensurate with the change which they would entail on the public revenue. We, therefore, in full consideration of those suggestions, have refrained from offering a recommendation to your Majesty to extend the principle of the retired list beyond the present practice, except in the cases of mates and commanders, for the reasons explained in the observations on those classes."

This was their decision scarcely three years ago, and with such a decision before them, he hoped the House would support the Government in resisting a proposition which they had reason to consider of such questionable utility.

Lord *J. Russell* did not rise to address himself to any of the professional arguments, but he thought it might not be ill-timed to consider whether in such cases as these the House of Commons ought to agree to prescribe any course of action to the Crown? When he held office, he had frequently found that officers of the navy, army, and marines made propositions to the House, which, being supported by much professional knowledge, found favour with Members, and in more than one instance were adopted in opposition to the wishes of the Government. It was clear to him, that such occurrences as these could not but be prejudicial to the public service. The House, by pursuing such a course, was putting itself in the position of the Executive, was taking on itself to advise the Crown, and was very frequently causing great inconvenience to the Government of the day. It was in consequence of his experience of such inconvenience that the commission was appointed, to whose report the right hon. Gentleman had referred. The Duke of Wellington, with that public spirit which, without reference to the party in power, uniformly marked his conduct, consented to act as the head of that commission. The noble Duke was not only able to judge of all that related to the profession of which he was the great ornament, but from his long experience and extensive knowledge, he was able to judge of the evidence respecting the other branches of her Majesty's service. Associated with him in the commission were several other officers of great ability. The commission sat a considerable period, they heard a mass of evidence, and then made their report; and he must say this, that he could not but regard that report as of much higher authority than the opinion of any individual Member, even though that opinion might be supported by such able statements as those they had heard from the gallant officer behind him. He should say, therefore, that even if such a proposition as this was desirable in itself, yet that they should be adopting a most inconvenient practice and setting a very bad precedent were they to affirm it. Regarding that proposition, as it appeared that the commission had carefully reviewed it, it only remained to be inquired whether by its adoption they would obtain greater efficiency in the service. If from such a sum as 20,000*l.* they could make all grades of officers more fit to perform their respective duties, he should say that there might be good reason to adopt the proposal; but if, on the other hand, no such good results were to be obtained, they would be only establishing a precedent which they might be required to act on perhaps every four or five years. Why, then, he should say that it would not be desirable to adopt any such proposal. He stated these as the grounds on which he thought their opinion should be founded. He should rather say, however, that the Prime Minister, consulting with his colleagues, was the better judge of the desirability of carrying such a proposition into effect. But, above all, as he said before, he thought it would be highly unadvisable to call on the House to affirm any such proposition, and on that ground, if on no other, he hoped that this motion would be withdrawn.

Captain *Berkeley* was obliged to the hon. and gallant Member who had brought forward this motion, and thought he had done good service to his profession. After what had passed, however, he could not but think that the motion had better be withdrawn.

Captain *Pechell* was surprised that no reply had been made to the charges against the Government as to the distribution of patronage. It was now said throughout the service that the hustings were the best sort of quarter-deck for promotion. All the appointments of the Government, indeed, were made on political grounds. ["*No, no.*"] Would they dare him to come to book? Well, then, what did they say to the appoinment of Sir Thomas Cochrane, or to that of the hon. Member for Stafford (Captain Carnegie)? This Government was congratulated on their system of manning the navy, but who had unmanned it? Why, their Tory predecessor, Lord Melville. They might depend that they would do much better to promote officers according to merit, and until that was done they could never expect to give satisfaction to the service.

Captain *Plumridge* said, with reference to the expense complained of, that officers of twenty years' standing on the list of service received a mere pittance of 10*s*. 6*d*. a day. He was of opinion, therefore, that this slight increase of advantage proposed by his gallant Friend might with propriety be granted, and while the navy would be benefitted the national finances would not be injured.

Mr. *Sidney Herbert* vindicated the conduct of the noble Lord who so efficiently performed his duties at the head of the Admiralty, and denied that appointments were guided by political considerations. As to the charge of employment not being given to naval men and sailors, he begged to call attention to the number of employments connected with the navy and the public establishments, such as masons, shipwrights, armourers, shoemakers, labourers, &c., which could not be filled by sailors. The appointments in China and the other cases referred to, had been made without reference to political considerations. With respect to the noble Lord the First Lord of the Admiralty he should quote a very good authority, namely, that of the hon. and gallant Officer (Sir C. Napier) himself, who, when he made a motion for placing a naval instead of a civil officer at the head of the Board, said—

> "Least of all could his motion be construed into an expression of disrespect to the noble Lord at the head of the Board, for the right hon. Gentleman at the head of the Government would find no civilian that would act with greater justice and impartiality."

This was a just tribute to the conduct of that nobleman, who directed all his energies to fulfilling the duties of his department, and, disregarding every thing like undue influence, made it his study to decide on such appointments as should be most advantageous to the public service.

Sir *C. Napier* in reply contended, that notwithstanding what had been said on the opposite side, the adoption of his suggestion would effect a great improvement.

Motion withdrawn.

The House adjourned at a quarter past twelve.

HOUSE OF LORDS,

Thursday, May 18, 1843.

MINUTES.] BILLS. *Public.*—3ª· and passed: Registration of Voters.

2ª· Queen's Bench Office.

Private.—1ª· South Eastern Railway Extension; Drumpeller Railway; Liskeard and Caradon Railway; Bristol and Gloucester Railway; South Eastern and Maidstone Railway; Porterfield's Estate.

2ª· Wexford Harbour.

3ª· Hawkins's Estate.

SCHOOLMASTERS' WIDOWS' FUND — SCOTLAND.] The Lord *Chancellor* said, it was his duty to communicate a circumstance connected with the privileges of Parliament. It appeared that in the month of April last, a bill came up to their Lordships from the other House of Parliament, entitled, the "Schoolmasters' Widows' Fund (Scotland) Bill," which was read a third time and passed by their Lordships on the 1st of May, and certain amendments having been made, it went back to the House of Commons. On the 5th of May Mr. Vivian and other messengers from the Commons brought back the bill to their Lordships' bar, and stated that the Commons had agreed to the amendments. In consequence the bill had been inserted in the list of bills which received the royal assent by commisson on the 9th of May. He should have felt it his duty to have moved for a committee to inquire into the circumstances connected with this bill, but upon looking over the votes of the other House of Parliament, he found that the House of Commons had appointed a committee to make the inquiry; and he, therefore, thought that their Lordships should take no further steps at present. It appeared by the votes of the House of Commons that they never did assent to those amendments; but he had no reason to doubt that they had, because the bill was brought by messengers from the House of Commons, stating that the House had concurred in the amendments. It was possible that at a future day he might call their Lordships' attention again to the circumstances; but he hoped that their Lordships would consider that no blame attached to the officer of their Lordships' House, inasmuch as a message was brought to their Lordships' bar by messengers from the other House, stating that the amendments had been agreed to.

Lord *Campbell* was sure that no blame could attach either to the noble and learned Lord on the woolsack, or to the officers of their Lordships' House.

Lord *Brougham* said, that all their Lordships did was to give credit to the messengers sent from the other House. His noble and learned Friend had defended his noble Friend on the woolsack when he was not attacked—he trusted the noble Lord would defend him when he was attacked.

Lord *Campbell* was sorry even for once to have encroached on the peculiar province of his noble and learned Friend (Lord Brougham).

Conversation at an end.

SUDBURY DISFRANCHISEMENT.] The *Lord Chancellor* would call their Lordships attention to the Sudbury Disfranchisement Bill. He believed most of their Lordships were aware that, on a former day, they had heard counsel at the Bar at length, and had proceeded to hear evidence in support of the preamble of the bill. Their Lordships had met at ten o'clock that morning to proceed with the evidence, and counsel had examined three witnesses, for the purpose of proving general acts of corruption and bribery: they were unsuccessful in producing any such testimony; the consequence was, that the Lords then present suggested to the counsel, if they had a case, that they should bring forward such witnesses as they thought they could rely on, and save the public expense; and at the same time an intimation was flung out that unless counsel thought they could make out a case of general corruption in the borough, it was not reasonable to suppose that the House would pass this measure. It was also stated, that the House relied implicitly on the honour, the integrity, and the experience, of the learned counsel, whether they could, in their judgment, give the House reason to believe that the case could be made out; it was also said, that this intimation was not given with a view of stopping proceedings, but was only a suggestion. The counsel for the bill consulted for a short time, and then Mr. Austen the leading counsel, stated that he would not proceed further with the evidence. He was satisfied from all their inquiries and all the information they could obtain, that they had not reasonable ground to believe that they could make out a case of general corruption, and that, therefore, after the intimation of their Lordships, counsel would not proceed with the bill. The Lords then present thereupon thought it better not to proceed; and that the circumstance should be represented to a fuller House before any course was taken as to the second reading of this bill.

Lord *Brougham* only wished to add one fact to the statement of his noble and learned Friend; the greatest possible facilities had been given to the parties to proceed, if they had a case; they were not taken by surprise, for it was intimated to the counsel that if they chose they need not give an answer that day, but wait to take time to consider; but having answered the first question in the negative, that they had not a case to prove of general bribery, counsel stated that they had no desire to proceed, that they had consulted upon the matter before, and this was their deliberate opinion. They were then asked if there would be any want of justice, or any inexpediency if the bill dropped? They thought not. After this their Lordships had but one course to take; the case was given up; the preamble had not been proved; and they had only to postpone the second reading till that day six months. They had no occasion to discuss the matter, it was now over, and he would at once move the postponement of the second reading of the bill for six months.

The Earl of *Wicklow* thought the noble and learned Lord had better give notice of his intention, especially as the noble Marquess who had the conduct of the bill (the Marquess of Clanricarde) was not present.

Lord *Brougham* had no objection to

postpone the motion till to-morrow; it was clear that they ought not to delay the decision on this bill any longer.

Subject at an end.

SCOTCH CHURCH — LORD COREHOUSE.] Lord *Brougham* begged to make an explanation on the part of a venerable and most able judge, whose opinion had been misconceived by his noble Friend opposite (the Earl of Aberdeen), and through that misconception had been misconceived by many Members of their Lordships' House. The mention of the learned judge's name would be sufficient to secure for him and for his opinion the greatest possible respect — it was Mr. Cranston, Lord Corehouse, who had retired from the bench, but whose great faculties were entirely preserved. He would only read the letter:—

"Excuse a very few lines on a very trifling subject. Lord Aberdeen has done me the honour to refer repeatedly to my opinion on his proposed bill about the Church of Scotland, under a misapprehension arising, I suppose, from some unguarded and incorrect expression of mine, though I do not recollect it. I approved at first of his bill, in so far as it was purely declaratory, thinking that, although unnecessary in other respects, it might tend to quiet the ferment which lay and clerical agitators were exciting, for I had then more faith in the good sense of the clergy of Scotland than I have now; but I never approved of it, in so far as it could be construed to enlarge the powers of the Church in the smallest degree. Relevant objections to a presentee may be urged before the Church courts, not only as to life, literature, and doctrine, but likewise on some other grounds recognised by the Canon law, as inability to perform the duties of a minister from blindness, deafness, defective utterance, infirmity sufficient to prevent the visitation of a parish, ignorance of the language of the majority of the parishioners, necessary and unavoidable connexion with secular business to a great extent, and I believe some others. But I never held that the unexceptionableness of a presentee to the parishioners, or his not preaching in a way that they thought edifying, was by itself a relevant objection, or could be listened to at all by the Church courts. If it were relevant, it would open the way to every species of intrigue and cabal, and defeat the right of patronage, which is essential to the respectability of the Presbyterian Church. I thought I had explained myself fully on this subject in what I said in the first Auchterarder case. I go further, and think it would be unwise and dangerous that a declaratory act should recognise in every case the privative jurisdiction of the Church, even as to relevant objections. It is reported that a Presbytery, wishing to exclude an unexceptionable presentee who was obnoxious to them, agreed to divide Church history into a number of periods, and to appropriate each period to an individual Member which he was to study for some weeks, and to make himself able to pose the candidate with a multiplicity and minuteness of questions, all which no Member of that or any other Presbytery could have answered without previous notice and long preparation. Suppose this fraud had been carried into execution, and no redress obtained in the higher Church courts. An appeal to the civil courts, I conceive, would have been competent, and so in every case where fraud or conspiracy to defeat the right of the patron or presentee can be established."

It seemed incumbent upon him to notice this misconception now, because they were in the very heat of the matter. He believed this was the very day appointed for the meeting of the Scottish Church.

The Earl of *Aberdeen* wished that his noble Friend had apprised him of his intention to read this letter and bring the subject forward. It was true that his noble Friend had sent to desire his attendance in his place, but he had no idea what his object was. [Lord *Brougham* had said it was a communication from Lord Corehouse.] He had nothing to say against the opinion now expressed by the learned judge; it entirely confirmed what he had stated: he had never said that acceptableness was necessary, but meetness and suitableness, of which the court was to judge, and not the people. He would not then enter upon the subject, but he wished to say, with respect to his bill, that if he had been apprised of the noble Lord's intention, he would have shown Lord Corehouse's opinion under his own hand, that his bill only declared what the law of Scotland was then, and what it must remain so long as patronage existed. The noble Lord might say, "I do not trust the opinion till I see the case submitted." That case was the bill itself.

TOWNSHEND PEERAGE.] House in committee on the Townshend Peerage Bill.

Lord *Brougham* proposed two amendments, declaring that the four eldest children were not the lawful issue of the marquess Townshend, instead of bastardizing them; and providing, on the ground of infancy, that the bill should not affect the youngest child, Cecil, Mina Bolivar.

The Earl of *Wicklow* thought the noble

Lord ought to explain his reasons for those alterations; if they had been contained in the bill as originally drawn they would be unexceptionable. Was the object of the bill in declaring that these were not the issue of the Marquess Townshend, to imply that they were legitimate children of any one, if so they would deceive the country, for they were illegitimate if they were not the children of the Marquess.

Lord *Brougham* had stated distinctly, on the second reading of the bill, that he meant to make these alterations, and to move them in committee. He had also given his reasons. Although, in his private opinion, it made no difference, yet it was a material consideration that if they bastardised the children, not only would they not be the lawful issue of Lord Townshend, but not the lawful issue of any valid marriage which might have taken place since the marriage with Lord Townshend, which marriage the mother had stated to be a nullity from beginning to the end. According to the English law, the change would make no difference in the bill; but here was an alleged Scotch marriage, and how could the House take upon itself to say what the decisions of the Scotch courts would be? He was unwilling to deprive the parties of that right. With respect to the case of the infant, he thought it was agreed on all hands that they ought to except the infant from the bill, because being an infant, he could not be served.

Lord *Monteagle* thought as to the first alteration the reasons in favour of it were conclusive. Instead of bastardising the issue the bill now declared that the children were not the issue of the Marquess of Townshend. But he saw increasing objections to the principle and policy of the bill, after there should have been an exception made in favour of the infant. There was no doubt in his mind of the justice of this unfortunate case, and he believed that there was no doubt in the minds of any of the eight noble Lords who like himself voted in the minority, but the great object of the bill, as originally introduced, was to protect the interests of the rightful claimants to the Townshend peerage. This bill, as it had been modified, would not produce that effect, because it would leave undisturbed the claim of one of the children, namely, the minor. They would now leave the difficulty of the case precisely were they found it. There would be nothing to prevent that child from urging, when he reached majority, a claim similar to that now put forward by the alleged Lord Leicester. They would only be leaving the false claim, if he might so call it, to be represented by one child instead of another. He had heard some of his noble and learned Friends support their vote for this bill on the ground of a reparation to public scandal and public morals; but he had heard no observation made, on an exhibition—the basest and most degrading to public morals—that a Peer of this realm (as it had been given in evidence)—had offered for a pecuniary consideration to deprive his own brother of his rights and honours. He was not lawyer enough to know whether any property would be given to Lord C. Townshend by this bill. [Lord *Brougham:* "Not one farthing."] His noble Friend assured him not one farthing; then he said, that this bill not affecting the youngest child, Cecil Mina Bolivar, would make no alteration in his condition. He would be left in the same status as at present, and the day after the bill passed, he might assume the title of Lord Leicester, and claim all the property accruing under the settlements of Mr. Dunn Gardner. Lord C. Townshend might then have to go through the same process hereafter to prove the illegitimacy as the present infant, as well as that of the former children. He objected to the bill on principle, and he thought from these circumstances it would not attain the end in view.

Lord *Campbell* was understood to admit, that it was possible that a marriage might be proved to have taken place between Lady Townshend and Mr. Margetts, and he thought the first amendment had been very properly drawn to meet that contingency. With respect to the other amendment the bill would now not affect an infant who was not before their Lordships, and who could not be brought before them. The bill declared Lord Leicester not to be the son of the Marquess of Townshend, and the youngest son, he had understood had already laid down the title of Lord C. Townshend, and called himself Mr. Margetts. He supported both amendments.

The Earl of *Wicklow* opposed the amendments. He thought that if the first amendment were carried, it would admit the possibility of the legitimacy of the children; and as under no circumstances could that be the case, he opposed it. It had been said, that Lord Leicester was taking on himself the honours of the peerage; but if the second amendment were passed, the younger son might assume all those honours to-morrow. He thought that the amendments would render the bill inoperative, and he therefore opposed them.

The Marquess of *Clanricarde* said, considering what had come before the House in the evidence, he would suggest that the wisest course for their Lordships to adopt, and the best to sustain the dignity of the House, would be to pass a bill of attainder against the present Marquess of Townshend, which would compel him to come to the bar of the House, and state what the circumstances were under which the children were born.

Lord *Brougham* begged to remind his noble Friend behind him, who had said, that no person had taken any notice of the Marquess of Townshend's conduct, that he had reprobated the conduct of Lord Townshend as most unjustifiable, and stated that it was a fraud upon his brother and the rest of his heirs. The noble Earl opposite (the Earl of Wicklow) had laid down the law that there was no difference between stating that the children were illegitimate, and that they were not the children of the Marquess of Townshend. He (Lord Brougham) believed that that was the law of England; but would the noble Earl undertake to say, that that was the law of Scotland? If the marriage of the Marquess of Townshend was void *ab initio*; *propter impotentiam*, and if a Scotch marriage took place in this case, as he believed it did, then the children would not be illegitimate, but the children of John Margetts. The law of the two countries was so different, that a marriage which the Scotch courts held to be perfectly innocent, the English law punished as a felony. The objections to the amendments only amounted to this, that they made the bill more objectionable, and strengthened the reasons for throwing it out on the third reading. He continued to think them necessary, and should support them.

The Earl of *Devon* was glad to see the amendment introduced, but that did not alter his objection to the whole bill, and he would oppose it on the third reading.

Amendments agreed to.

Bill went through committee. Report was ordered to be received.

House resumed, and their Lordships adjourned.

HOUSE OF COMMONS,

Thursday, May 18, 1843.

MINUTES.] BILLS. *Public.*—1ª· Grand Jury Presentment (Ireland).

Reported.—Bury, &c., Navigation, and Llanelly Harbour; Sowerby and Soyland Inclosure; Temperance Friendly Society; Caswall's Disability Removal; Piel Pier; Balfour's Estate.

3°· and passed: Birmingham and Gloucester Railway; Thames Lastage and Ballastage; Clarence Railway; Glasgow and Three-Mile House Road; Drumpeller Railway; Maidstone Railway; South Eastern Railway Extension; Liskeard and Caradon Railway; Bristol and Gloucester Railway; Cliffe-cum-Lund Inclosure; Portsea Improvement.

PETITIONS PRESENTED. By Mr. M. J. O'Connell, from Newry, Ennis, Ratoo, Baleyhige, Killury, and the Diocese of Tuam, against the Irish Poor-law. — By Colonel Conolly, from Innismacsaint, and other places, for altering the Grand Jury Cess Laws.—By Mr. C. Villiers, from Wolverhampton, against the Turnpike Roads Bill.—By Mr. Ferrand, from Dublin and Cork, for Inquiry into the Treatment of Mr. Oastler, and other Prisoners.—By Messrs. Scholefield, Busfield, Ewart, and C. Round, Ord, Thornely, Williams, M. Philips, Lord Worsley, Admiral Dundas, Colonel Gore Langton, Sir J. Guest, Captain Howard, the Earl of Arundel, Sir R. Lopes, and Dr. Bowring, from a number of places, against the Factories Bill; and by Lord Newry, from three Places, in favour of the same. — By Messrs. Cartwright, Christopher, and Allix, and Lord Worsley, from several places, against the Canada Corn Bill.—By Messrs. C. Villiers, Christie, and M. Philips, and Dr. Bowring, from a number of places for the Total and Immediate Repeal of the Corn-laws; and by Mr. Yorke, from several places, against any change in the Corn-laws. —From Chamber of Commerce of Newcastle-upon-Tyne, for Repeal of Duty on the Export of Coal to Foreign Parts.—From same place, for Carrying into Effect, Mr. Rowland Hill's Post Office Alterations.—From same place, in favour of Health of Towns Bill. —By Mr. S. Crawford, from Dunfermline, and certain Individuals, for Universal Suffrage; and Annual Parliaments.—From Coleraine, for the Suppression of Vagrancy.—From Darlington, against the Truck system.—From Keighley Union, in favour of the Allotment system. —From the Clergy of Norfolk, against the Union of the Sees of St. Asaph and Bangor.—From Macroney, Kilworth, and Glanworth, against the Tariff and the changes in the Corn-laws.—From Warwick, and Manchester, for exempting Literary and Scientific Institutions from the Payment of Rates.—From Limerick, for Improving the Shannon Navigation.—From Bigg, for Repeal of Duty on Malt.

SCINDE.] Mr. *Roebuck* asked if Government were prepared to lay before the House any information or extracts connected with the late transactions in Scinde.

Mr. *Bingham Baring* was not prepared to afford all the information wished for. It was reported that a second engagement had taken place, and they had no reason to doubt but that her Majesty's troops had been successful. They were not as yet, however in full possession of the circumstances, and they could not, therefore, lay the documents connected with them before the House. As soon, however, as these transactions should have been completed, such information would be produced as would enable the House to form an accurate judgment of all that had taken place in the country alluded to.

Mr. *Roebuck* wished to know, whether he was to understand that no information would be granted until all the transactions now in progress should have been completed.

Sir *R. Peel* had no objection to lay before the House copies of all treaties already formed and ratified. At the very earliest period consistent with his public duty, the House would be put in possession of full information upon the subject.

Lord *John Russell* said, that there was a report that certain treaties had been concluded with the Ameers of Scinde, but that after they were signed certain other demands, not contained in these treaties were made upon our part, and not complied with by the Ameers. Now the mere production of these treaties, without other documents, would not show whether that report was true or false, and if it were true, whether the circumstance to which it referred had been the cause of the war. If there were any papers connected with this matter in the possession of Government, he thought that they should be produced; and he did not see how their production could interfere with any military operations.

Sir *Robert Peel* had no objection to the production of signed and ratified treaties; and he repeated that, on the earliest opportunity consistent with public duty, full information would be given to the House.

CHINESE AND INDIAN TREASURES.] Mr. *Blewit* referred to the question which he had asked the other night, with reference to a certain sum of money said to have been paid by the authorities of Ningpo for the ransom of that town. He begged to ask what was done with it, and also what was to be the destination of the treasure said to have been taken at Hyderabad.

The *Chancellor of the Exchequer* said, that the hon. Member was mistaken in supposing that a ransom had been paid for Ningpo. Such was not the case. Upon the occupation of that place it was proposed that certain imposts should be levied upon the merchants. They offered a million of dollars to be relieved from that impost, but that amount was never paid, and so there was an end to the matter. As to Hyderabad? He had made application to the proper quarter for obtaining information upon the subject, and the answer was, that no information had been received by the Government upon the subject.

ALLEGED EXCESSES OF THE TROOPS IN INDIA.] Mr. *E. Buller* referred to the reports relative to the excesses said to have been committed by our troops in Affghanistan. He wished to know whether Government had received any information as to these alleged proceedings.

Sir *H. Hardinge* had no specific information to answer the charge. He had, however, received a letter from the Governor-general, in which that noble Lord stated, that he had been in correspondence with between thirty and forty intelligent gentlemen in the military and civil service in India, all of whom stated that they had never heard anything of the excesses said by the press of this country to have been committed.

PARLIAMENTARY REFORM.] Mr. *S. Crawford* rose, pursuant to notice, to ask leave to introduce to the House a "bill to secure the full representation of the people, and to shorten the duration of Parliament." He was aware of the difficulties with which he should have to contend in bringing such a question under the consideration of the House. He was conscious of the opposition which would be offered to his motion. The great basis of political liberty was the right construction of the suffrage, and the right mode of bringing the power of the suffrage into practical operation; that was what he wanted by the bill which he desired permission to introduce. In the first place, he would wish to draw the attention of the House to the extent and regulation of the suffrage, and the laws of election in the ancient periods of the constitution. The great extent of the suffrage, previous to the first limiting statute, that of 8th of Henry 6th, c. 7, could be proved by a reference to that act, which, whilst it endeavours to cast unjust opprobrium on the people, is a lasting record of the rights which they before enjoyed. The preamble states, first, that whereas elections of the knights of the shire, have been made by very great, excessive, and outrageous numbers, most part of people of small substance and no value, pretending an equal voice with the most worthy knights and esquires; the preamble then goes on to state—what? not that outrage had been committed, but that riots, batteries, and divisions among the gentlemen and other people of the same counties shall very likely rise and be; and for this reason, the act goes on to limit the franchise to those possessed of 40*s.* freeholds. Thus it appears that previous to this statute, the great body of the people did attend, and vote at elections for knights of the shire, and that they were disfranchised on an imaginary prospective case, without any real charge having been made or substantiated; but it was not necessary to rest this case on the preamble of this statute. The 7th of Henry 4th enacts:—

> "That elections shall take place in full county court, where all shall attend, as well suitors duly summoned, as others *in pleno comitatu;*

which act is recited, and further confirmed by the 12th of Henry 4th, and again by an act of the 6th of Henry 6th, and we have the authority of Pryme, who says that:—

> "By common right every inhabitant and commoner of each county, had a voice in the election of knights, whether he were a freeholder or not."*

Can it be denied in the face of these statutes and authorities, that in those times the mass of the people had the right of voting? Can the opponents of this position show that there was any limiting statute, any penalty for voting, any voiding of an election because the people voted? They cannot show this; they must admit, that previous to the statute of Henry 6th, the people did enjoy the right; and with regard to boroughs, we know that several of the charters gave the most extended suffrage, even to every man who boiled his own pot upon his fire; and we find in early days, a decision of a committee, asserting that the election of burgesses in all boroughs did of common right belong to the commoners. In the year 1623-4 a most eminent committee of the House of Commons, consisting of the greatest lawyers of the day, was appointed specially to lay down the legal rights of voting. They decided that where there was no certain custom or prescription or constant usage beyond all memory, recourse should be had to "common right," which for this purpose was held, that more than freeholders only ought to have the right to vote, namely, all men inhabitants, householders resident within the borough. This was the common law right; and it is further confirmed by the acts of the 25th and 34th of Edward 1st., which assert the principle, that no taxes shall be imposed without the consent of all the freemen of the land, and also the petition of right to the same effect in the reign of Charles 1st. Sir T. Smith, an eminent authority, says,

> "Every Englishman is intended to be present in Parliament, either in person or by procuration and attorney, of what pre-eminence, state, dignity, or quality soever he be, from the prince to the lowest person of England, and the consent of Parliament is taken to be every man's consent."

Such was the original practice and theory of the constitution. Blackstone, in book 1, chap. 2, states the theory of the constitution as follows:—

> "The construction of Parliaments as consisting of the King and three estates, viz., the Lords Spiritual and Lords Temporal, who sit in one House, and the Commons who sit by themselves in the other. The King and the three estates form the great body politic of the kingdom."

He states the object of this construction in the following terms,

> "And herein indeed consists the true excellence of the English Government, that all the parts of it form a mutual check upon each other. . . . Like three distinct powers in mechanics, they check and counter-check each other, impelling the whole in a direction different from what each would have taken separately, but forming out of all a direction which constitutes the true line of the liberty and happiness of the community."

Again, he says, vol. 1, page 158,

> "A law to bind all must be assented to by all."

If this be a true description of the constitution, as laid down by Blackstone, that constitution does not now exist. Is there any House of Commons now in existence which answers the description given by Blackstone or by the other authorities quoted? Are we such a House of Commons? Are we the representatives of the Commons of England? Who are the Commons of England? Are they not the whole people? Are the voters as now limited by law entitled to the name of the Commons of England? If the average of voters be compared with the average of population in the united kingdom, the voters are not in a larger proportion than as one person to every nine families. A petition had been sent to him for presentation from Clipping Hamden, in Glocestershire, addressed to "the representatives of the electors"—instead of the usual term "House of Commons"—but even if the voters were entitled to be called the Commons of England, are we entitled to call ourselves the true representatives even of the electors? Are there not records on the journals and debates of your House which would indicate that a great portion of this House is returned by other means than the voice of the electors? You have made a record against yourselves by your vote of last Session on the motion of the hon. Member for Finsbury, on the occasion of the compromise committee. That hon. Member proposed that the Members serving on that committee should take a test that they had not paid or agreed to pay money contrary to the law for the purpose of obtaining a return. It was alleged that the forcing such a test would upset the committee, and you negatived the proposition by a majority of 160 to 19. Under all these circumstances, are you entitled to assume the position of the House of the Commons of England? and if this be not the House of the Commons of England, what is the consequence? The consequence is, that your boasted constitution is defunct. That you are not the House of Commons is the feeling which prevails among large bodies of the people. The object of the bill now presented is to remove that stigma from the character of this House—to restore the Commons' House to its full integrity, as one estate of the constitution—as one of the mechanic powers described by Blackstone—and thus to restore that balance of conflicting powers which he states to be necessary to insure the liberty and happiness of the community. At present the machine of the state is drawn by one power alone—that which is represented by the House of Lords, namely, an oligarchy of the landed and monied aristocracy. To this power the Crown is compelled to submit—by this power the voice of the people is cancelled; and the constitution, although still holding the name of a free Government, has become practically the worst of all Governments—the Government of a self-interested oligarchy. This evil can only be repaired by going back to original principles, and by restoring the people to their full rights, through the medium of an extended suffrage—rights enjoyed by the common law of England, again and again asserted in all the noble struggles made by Britons. But the rights of the people have been swamped in other modes besides the limitation of the franchise; Parliaments have been unconstitutionally lengthened, through the means of powers assumed by the representatives to prolong their own existence, without an appeal to those who had elected them. Our ancestors considered short Parliaments the great bulwark of the rights of freemen. It appears, from a reference to the earliest authorities, that the practice of prorogations is comparatively new, and that originally Parliaments were summoned for a particular purpose, and dissolved after that purpose was answered; the same Parliament did not sit a second Session. At that time Parliaments were held at different places, according as they were summoned, and could not sit except at that particular place; but the encroachment of the prorogation system put an end to the frequent election of Parliaments, and made the inroad of which the people now complained. That these were the former principles and practice of the constitution can be proved by various statutes and records. The statute of the 34th Edward 3rd, c. 14, provides that a Parliament shall be called every year, or more often if necessary; the 36th of Edward 3rd, repeats the same enactment; and we find, by a reference to the practice, that by this was intended the calling of a new Parliament—not a prorogued one; because it appears from a catalogue of original writs recorded by Pryme as found in the Tower of London, that there were writs for new elections in every year of the reign of Edward 3rd, between his 34th, when the first act insisting on annual Parliaments was passed, and his 50th year, with the exception of three years, in two of which we know from other sources that Parliaments were called; and also writs were in existence for new elections in each of the five eighteen years of the next reign. Such were the law and practice of these times, and up to the reign of Henry 8th, the Commons served only for the Session, with the exception of three or four Parliaments; but it was afterwards relaxed, and the statute of the 16th of Charles 2nd makes the first inroad upon the right of annual Parliaments that was made by any statute law. It does not formally repeal the acts of Edward, but it provides that the intermission of Parliaments shall not be longer than three years, and then the statute of the 6th of William and Mary, c. 2, gives a legal sanction to the prorogation system, by enacting that no Parliament shall have longer continuance than three years; and lastly, the Parliament which passed the statute of the 2nd of George 1st made the climax on these encroachments by prolonging its own existence for seven years, and by enacting that future Parliaments may exist for seven years. That these were violations of the constitution, if any doubt exists, is proved by an authority which this House can hardly reject—it is proved from a quarter not too prone to assert the rights of the people, it is proved by the protests of the House of Lords. When the Triennial Act was passed a protest against it was signed in the Lords, on the grounds—

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* *Brevia Parliamentaria Rediviva,* page 186.

> "Because it tended to a continuance of this present Parliament longer than, as we apprehend, is agreeable to the constitution of England."

Now let it be remarked that this allegation was made even against the triennial duration to which many hon. Members would now desire to recur; but afterwards, when the Septennial Act was passed, a most remarkable protest — a document most honourable by its noble principles of liberty—was entered against it, signed by no fewer than thirty-one Peers. This document records the right of the people to frequent and new Parliaments—

> "As the fundamental constitution of this kingdom. That representatives who continue themselves by their own power are not the representatives of the people. That foreign powers have never objected (as alleged in the act) to make treaties with us, on the grounds of our relations being uncertain in consequence of short Parliaments; they say, on the contrary, that it cannot be expected that any prince or state can rely upon a people to defend their liberties or interests who shall be thought to have given up so great a part of their own. That by making the seat an object of greater value it will tend to increase expenses and corruption. That it will be a greater object to a Ministry wishing to maintain itself against the people to purchase the members when they have so long a term of their trust; and that they will have a greater opportunity of exerting corrupt influence over these members by means of that prolongation; and that therefore the ancient and primitive constitution of frequent and short Parliaments should be adhered to."

The last authority he would quote on this subject was not the least. It was the recorded declaration of the noble Alfred—

> "It is just that the English people should ever remain as free as their own thoughts;" 'and in an assembly of Parliament he enacted this for a perpetual custom,' that a Parliament should be called together twice every year, or oftener, in times of peace, to keep the people of God from sin, and that they might live in peace, and receive right by certain usages and holy customs."

Such were the ancient principles of our constitution with regard to the duration of Parliaments. Another mode was taken to subvert the rights of the people, in demand of qualifications for Members of Parliament. It cannot be shown that in the early periods qualifications were required. The first act, so far as he could find, was the 23rd of Henry 6th, c. 13, which provided—

> "That those chosen should be esquires of the county able to be knights, and no man to be such knight as standeth under the rank of yeoman."

Coke on Littleton says—

> "No manner of property qualification was required of citizens and burgesses."

So this remained till the 9th of Anne, when the qualifications which existed previous to the alterations made by a late act were provided. No qualifications were required for Members of the Irish Parliament. None is required for Scotch Members, for Members of the Universities of Oxford, Cambridge, or Dublin, or for the eldest sons and heirs-apparent of Peers or of commoners qualified to serve as knights of the shire. Why then should these anomalies remain? Is it found that any practical advantage has been derived from the qualifications which exist; and if there be not such practical advantage why keep up such laws? why limit the people's choice? why not recur to the ancient principle of the constitution? And in connection with this part of the subject, we find another practice undoubtedly existing, that of the payment of Members. All attempts at a free representation of the people must be nugatory without the adoption of this system. If the representative be called on in any shape or form for the gratuitous expenditure of his income, the choice of the electors must be thereby limited to a class of persons who by their large possessions are able to spend this money, and the foundation is thus laid for every species of corruption and unfaithful service. The payment of a knight of the shire was and is by the common law 4*s.* per day, and for a burgess, 2*s.* The act of the 23rd Henry 6th, c. 10, directs the mode of levying the wages by assessment of the sheriff from the several hundreds in each county; and the 12th of Richard 2nd, c. 12, further confirms this by making the lands purchased by Peers liable to the assessment as before they were purchased. These acts are still unrepealed. Thus it appears the ancient principle and practice of the constitution were—extended suffrage, annual Parliaments, no money qualifications, and payment of Members. He proposed to recur to these principles — and to these it seemed to be necessary to add the protection of vote by ballot. If the voter could be induced to perform the fearless duty of voting openly, without fear or favour, he would not deny that open voting would be preferable; but under existing circumstances this seemed impossible. As the question of the ballot had been so often debated, it was not expedient to take up the time of the House on this occasion with a repetition of the arguments. It also seemed necessary, in order to effect a fair representation of the people, to make a new arrangement of the electoral districts, and thus to remedy the strange anomalies which now exist, and under which nothing approaching to a fair representation could be obtained. To attain these objects, and by these means to secure a full and free representation of the people, he was desirous to obtain the leave of the House to submit a bill to their consideration. In contending, however, for these rights of the people, he admitted that every right existed only in subservience to the general interests of society at large. Those were his opinions, and he wished fairly and freely to enter with the House into the discussion of them; and the question which he desired to discuss was this,—whether the property qualification should be continued, or the right of suffrage extended to the whole mass of the community? He wished that an opportunity should be given to the people at large to state what was the amount of electoral privileges they required; and a similar opportunity given to the Legislature to come to a decision as to how much they would concede. He would put it to hon. Members to say, was it fair that one class of the community should say to the rest, "We hold the elective franchise in our hands, and you shall have nothing to do with it?" He knew it had often been said, that the people were poor and ignorant. Many of them might be but little acquainted with the science of politics, but surely it was not necessary to decide upon matters of state in order to exercise the elective franchise. The poor might be as good judges as any portion of the community as to whether a candidate was a man likely or unlikely to betray their interests —whether, in short, he was a man of fair and unimpeached character. To the poor a representative was especially essential, because the poor man wanted protection much more than did those who belonged to the middle classes. Then the upper orders should recollect that they were themselves the sources of those bribes which the poor electors were said to receive; let them abstain in future from setting that evil example, and there would then be no risk in letting the poor enjoy the benefit of the franchise. The principles for which he contended were the ancient principles of the constitution, and such as had been advocated by Reformers in all ages. Sixty years ago the Duke of Richmond took a leading part in the advocacy of reform, and it was his opinion that annual elections were indispensable to the effective exercise of the franchise. Those were the opinions of the Duke of Richmond; but he (Mr. S. Crawford) begged the House to understand that he was willing to go into the question with them calmly and dispassionately; he was not for revolution, but for reform, and he was perfectly ready to submit his proposition to the House in the form of a bill, if they would permit him. The public mind was in a more agitated state now than it had ever before been—it was in a state which might lead to convulsion and all he wanted the House to do was to take measures to save the country from scenes of violence and bloodshed. The hon. Member concluded by moving for leave to bring in a bill to secure the full representation of the people and to shorten the duration of Parliaments.

Mr. *W. Williams* seconded the motion. He thought that, from the manner in which his hon. Friend had submitted his proposition to the House, no hon. Member who felt the necessity of amending the present system of representation could object to record his vote for it. He would vote for the motion, but he should not consider himself bound to all the details of the bill. He contended that the strongest argument in favour of a reform was to be found in the events of the few last years. When the noble Lord the Member for London introduced the Reform Bill, he said that the measure would enable the voice of the people to be heard in Parliament—that the Members who would be returned to the House of Commons, under its enactments, would be the real representatives of the people, and that the result would be to secure good and cheap Government for the nation. Had the noble Lord's promise been fulfilled? Quite the reverse. That measure was a complete failure. It was a curious circumstance that the leading Members of the present Government were also the leading Members of the Government which existed immediately previous to the introduction of the Reform Bill. Before the last general election, which placed the present Ministers in office they declared that they would conduct the Government on the principles which they professed before the passing of the Reform Act, and they had kept their word. The bribery which took place at the last election was equal to any that was practised under the old system; the electors were bought and sold, as used to be said formerly, "like cattle in Smithfield market." This was clearly proved by the committee obtained by the Member for Bath, and is notorious to all. Then, as to cheap Government, which had been promised as the result of the Reform Bill; he would remind hon. Members, they were now in the 28th year of peace, and yet they were augmenting the national debt, whilst the amount of taxation could scarcely be borne. Within the last three years the taxes had increased 8,000,000*l.*, and within eight years 42,000,000*l.* had been added to the permanent debt. Before the French war, in 1792, the army did not exceed 36,000 men, the taxes were under 19,000,000*l.*, and the public establishments limited to the wants of the country. He could not say that at present. In fact, since the Reform Bill we had had a dearer Government than any one which had existed under the boroughmongering Parliaments. This year the army was 120,000 men, and the taxes expected to produce 55,000,000*l.*, which is a larger amount than the taxes of any year during the last war, taking into consideration the depreciated value of money then as compared with the present. The noble Lord (Lord J. Russell) who was now the advocate of the finality of the Reform Bill, when that measure was before this House said, "I propose that the people should send to this House real representatives, to deliberate on their wants and consult on their interests, to consider their grievances and attend to their desires." But he denied that the Reform Bill had accomplished these objects. This House did not really represent the people. He knew not an instance in which the wants, wishes, and desires of the people had been attended to; on the contrary, he believed the acts of this House were generally in direct opposition to their wants, wishes, and desires. The noble Lord had also boasted of the immense power the House possessed by its hold of the purse-strings of the nation. He had had the honour of a seat in the House ever since the passing of the Reform Bill, with the exception of two years, and he had never seen thirty Members who opposed any expenditure that was proposed, however profligate it might be. Why, under the boasted Reform Bill, there were at present five boroughs returning ten members to that House, the constituency of the whole being only 1,088; there were thirty-seven boroughs returning sixty-one Members, the constituency of the whole being less than that of Manchester; one fifth of the whole House was elected by towns which had an aggregate constituency little more numerous than that of the West Riding of Yorkshire; and there were many other glaring defects in the representation, which, in order to save the country from a state of things which would destroy that protection to life and property which all should enjoy, he should wish to see amended. He trusted that the noble Lord, the Member for the city of London would abandon his finality doctrines, and then he might again become the leader of the Reform party in that House. He would give his vote in favour of the motion, although he did not agree in all the principles the hon. Mover advocated.

Mr. *Curteis* was not prepared to carry the franchise to such an extent as the hon. Member advocated in the present state of the people; but he had seen so much corruption, and so much intimidation, that he had become a convert to the ballot. He was also in favour of shortening the duration of Parliaments, although on that point he thought the people had not much reason to complain. He was asked one day whether he would vote in favour of triennial Parliaments, and he said, "Yes, with pleasure, for it would save me much trouble and expense, for I have had five elections during seven years."

Mr. *Fielden* was understood to deprecate inattention to the prayers of the people on these and other subjects, considered by them as important to their welfare. The character of the measures which emanated from the Legislature as at present constituted, was not likely to recommend it to the people. He alluded particularly to Ireland, emphatically condemned the injudicious imposition of a poor law on that country akin to that which had caused so much dissatisfaction in this country. The operation of that law was most distressing, and tended to excite the utmost hostility on the part of the people. As to this country, the distressed position of the manufacturing population, and the apathy with which their distress was regarded by a Legislature which had voted 20,000,000*l*. for the sake of slave owners' "compensation," was to say the worst of it most unfortunate. The poor-law had been worthily followed up by the introduction of a most unnecessary and unconstitutional police force; when the people asked for bread they had been given a stone, and a serpent was offered for a fish. A similarly unconstitutional spirit had marked the attempts to supersede insidiously the trial by jury by the "Juvenile Offenders Bill." The people seemed always doomed to suffer from the Legislature, which was generally injudicious, even when well meaning. Then great contests had arisen upon the question of the Corn-laws, which affected class interests much more than the welfare of the poor; for he believed there was amply sufficient soil in this country to grow corn for the supply of all her population; and, for his part, he had rather our people were fed with corn grown at home and the result of home labour. There were many waste lands in this country which ought to be cultivated, but that was a subject which had been neglected by the Legislature. There were many other and far deeper evils in the existing state of society, which required the remedy of really impartial and disinterested Legislation—a remedy not to be expected till Parliament was more opened to the influence of the working classes.

Mr. *Ward* considered the proposition now before the House as a practical one, and although he might not agree with his hon. Friend the Member for Rochdale, that the franchise should be extended to every person of sane mind and twenty-one years of age, yet as his hon. Friend had justly said in committee, they would be able to discuss the point how far a full representation could be made compatible with the public welfare. On the subject of the ballot he was quite agreed with his hon. Friend, and their views had been supported in that House by minorities numbering more than 200. For shortening Parliaments, also, large minorities had expressed themselves. As to property qualification, there was none in Scotland; but he was yet to be informed that the want of qualification operated at all disadvantageously to Scottish members. To the working class the question now before the House was all in all. Whatever mental power a man of that class might have, to throw a new light on the subject discussed in Parliament, the property qualification made it impossible for such a man to enter the House; yet he believed that the House would derive great benefit from some infusion into their debates of the views and sentiments of the working class. Agreeing, therefore, on so many points with his hon. Friend, he held it to be his bounden duty to vote for the proposition. The House ought not to disguise from itself the extent to which the opinion was spreading among the people that this House did not represent the feelings of the people. When he first went to Sheffield the franchise question excited no interest. There were people indeed who thought the Reform bill ought to have fixed a lower franchise, but among the constituency there was no general feeling in favour of a further extension; and when he had himself expressed an opinion to that effect, he found that he was going beyond the opinions of his constituents. A great change had since taken place. He had received within a few days letters, bearing 800 signatures, praying him to support the motion of his hon. Friend the Member for Rochdale to its fullest extent. Much of this feeling in favour of a further extension of the suffrage had no doubt arisen from the course taken by the noble Lord the Member for London, who, it was long expected, would have shown a greater desire to carry out the principles of the Reform Bill. With respect to the violent opinions laid to the charge against the working classes, he felt bound to say that the most dangerous opinions of the Chartists—those on the subject of machinery, for instance—had been quite as strongly expressed within the walls of that House. He believed that Parliament might with perfect safety reconsider the representation of the country; and he believed that the franchise might, with perfect safety, be thrown open to a large proportion of the working classes.

General *Johnson* said it appeared the argument was to be all on one side, but he could assure them that the feeling excited on this question out of the House was very different from that manifested within its walls; and he believed the House acted most unwisely in not taking a more serious view of this matter. The Reform Bill had given the people a worse House of Commons than they had before the passing of that bill. The present House paid much less attention to the wishes of the people than did the unreformed House. The hon. Member for Coventry had noticed the great increase of taxation, but he had adverted to the great reduction in the price of all commodities which had also taken place. While the amount of taxation had increased, the value of all produce which enabled the people to pay taxes, had fallen one-third, or in some cases a half. That made the present taxation unbearable. Some years ago, a petition praying for much the same thing as was now contemplated, and bearing upwards of a million of signatures, was presented by the hon. Member for Birmingham. Did they suppose the people were satisfied with the rejection of their petitions? He was as fully convinced as of his own existence, that sooner or later the House must come to all the points of the bill now proposed; the people were determined to have these changes made; they were suffering the greatest distress, and they saw that that House had done nothing to relieve them. All that was now asked was for leave to bring in a bill to secure the full representation of the people. Objection had been taken to the word "full"—but had not the people a right to be fully represented? and were they so represented? That was the whole question. Entertaining the opinions which he did he should cordially support the motion.

Mr. *Ross* said, that he was in the manufacturing districts in the north of England for some time last year, and there he heard doctrines propounded which appeared to him so monstrous, and he was sorry to say so widely spread, that if this bill became law, the country would have such a deluge of these doctrines as would carry all before it. At some of the public meetings held in these districts he heard speakers express a wish for the demolition of all the factories throughout the kingdom; and he heard one man addressing a meeting of 10,000 men say, that he should like to see all the follies of the Monarchy swept away. His hon. Friend the Member for Rochdale was present, and also Mr. J. Bright, who said that these feelings pervaded the manufacturing districts. Now he was a friend to the Monarchy, and should not like to see the Constitution destroyed. He therefore could not vote in favour of a measure the tendency of which seemed to him to enforce such doctrines as he had referred to. At the same time, he was not satisfied with the representation of the people in that House; for he thought it did not fairly represent the sense and understanding of the country. An amendment might be made in the representation of the people. Members of literary institutions and all similar bodies should undoubtedly have votes. He did not object to the extension of the suffrage on account of the ignorance of the people, for they might be qualified to express an opinion with respect to a candidate, but he was afraid that much error prevailed throughout the country, and he was more afraid of the consequences of erroneous doctrines than of the effects of ignorance. Under these circumstances he should neither vote for nor against the proposition of his hon. Friend.

Sir *R. Peel* said, the hon. Gentleman who had just spoken had not assigned a very satisfactory reason for the course he intended to take. The hon. Gentleman objected to the proposition of the hon. Member because he thought the tendency of the bill was to introduce a republican form of Government in the place of that limited monarchy to which he said he had the deepest and warmest attachment; but yet he would not make such a demonstration of his attachment as to give a vote against the motion. He thought if the hon. Gentleman's attachment to our limited monarchy was so warm, he might, in its support, make the sacrifice which would be involved in his walking out with those who were opposed to this motion. But the hon. Gentleman had another reform of his own, and he knew no reason why the hon. Gentleman, at the same time that he voted against this motion, should not give notice of his own proposition. However, he did not exactly know how the hon. Gentleman would carry out his principle of reform. The hon. Gentl man did not object to the ignorance of voters; he thought that enlightened men, under certain restrictions, should have the franchise, and he also thought that ignorant men, under certain restrictions, should have that right. The hon. Gentleman did not fear ignorance, but he feared erroneous opinions, and he should be curious to see what test the hon. Gentleman would apply in respect to erroneous opinions. The hon. Member said, he would admit the Members of literary institutions; but really then he must take great care that the literary institutions which may be formed for qualifying electors, are not literary institutions propagating erroneous opinions. He should be curious to see the process by which the hon. Member determined what opinions were erroneous and what were not—and what were the literary institutions which would come within his description. That, however, was not the question before the House, with respect to which he did not intend to take the course which tha hon. Member adopted. The hon. Gentleman said, he should neither vote for nor against the proposition of his hon. Friend, and he thought the hon. Gentleman, the author of the motion, would say he was treating the motion more respectfully by frankly avowing his dissent from it, than if he had absented himself from the discussion and the division. From the respect he had for the integrity of that hon. Gentleman's motives and his character, he thought it was more respectful towards him and those who concurred with the hon. Gentleman, that he should frankly avow his statements, than remain altogether silent. He should decline, however, entering into any lengthened discussion. The subject was so extensive that properly to discuss every matter involved in it would necessarily require him to go into details which he did not think the House was prepared for, and he doubted whether it would be a satisfactory way of discussing the question. The hon. Member had called the attention of the House to several propositions, first, the abolition of all qualifications on the part of the candidate; next, limiting the period of the duration of Parliaments; next, to vote by ballot; next, what was called, although the hon. Member did not contend for this object in its full extent, universal suffrage; and lastly, the division of the country into new electoral districts. He was quite sure that no one who was aware of the extreme importance of those subjects would deny the impossibility of discussing them in all their bearings on the Constitution in this method—subjects, each of which would require, efore there could be any satifactory conclusion formed with regard to them, a very lengthened discussion. It would be quite impossible that to discuss so many subjects at once could lead to any good result, and on that ground, and not from any insensibility to the importance of the subjects, he should decline entering into them at length. The hon. Member said that, though he contended for universal suffrage in the abstract, still he was perfectly ready to listen to any modification that may be proposed. He did not understand how the hon. Member could admit any modification of his principle, because he said that every man who was not allowed to exercise that right was in the condition of an alien and a slave. How, then, could the hon. Gentleman, with his opinions as to the consequences of being excluded from the suffrage, listen to any modifications? How could the hon. Gentleman be convinced that any considerations of expediency would entitle the House to subject any man to the reproach of being an alien and a slave? He (Sir R. Peel) totally differed from the right hon. Gentleman as to the existence of the right, and as to the consequences which must result from an application of this principle. If the hon. Gentleman's principles were correct he could not conceive how the hon. Gentleman could propose to maintain a House of Lords, to control the decision of the popular assembly. He did not consider them to be at all compatible with the maintenance of a limited constitutional monarchy in this country. The hon. Member contended for the right of each man to have an equal influence in conducting the affairs of the country, without reference to his property, his stake in the country, or his knowledge. On that principle, the most democratic and republican form of Government might be founded, but how it could be consistent with the ancient form of monarchy established in this country, he could not conceive. He was placed apparently in the position of being a defender of the Reform Bill, to the passing of which he was opposed. He saw at present no one of the immediate authors of that measure in the House. [*A voice*, "Look behind you."] Certainly there was his right hon. Friend (Sir James Graham), but none of those right hon. Gentlemen were in their places who were bound to defend the Reform Bill. The conclusion which he should draw from several of the speeches he had heard was, not that we should make a further experiment in reform, but that we should repeal the Reform Act, and reconstitute Parliament on the basis of the arrangement existing before that act was passed. So far from having received any encouragement to proceed with the experiment, the inference which followed from the speeches of two or three hon. Gentlemen was, that the unreformed Parliament was infinitely better than the reformed; and that an infusion of more of the popular principle into the representative assembly of this country had worked nothing but evil. The hon. Gentleman the Member for Coventry had told the House that in the unreformed Parliament, before we ventured on this experiment of reform, the estimates of expenditure were much more reasonable than they had been of late years; that public taxation had progressively increased since the reformed Parliament had been in existence, and that the unreformed Parliament had shown much more attention to the general interests of the country than the reformed Parliament. When he recollected all the prophecies which were made as to the consequences of reform, he confessed he much distrusted the more lavish promises now made as to the blessed consequences of the further application of the principle. The hon. Gentleman said,

> "See what the estimates were in 1792: you had then an army of only 36,000 men, moderate establishments, the taxes limited, and the military force not beyond the exigencies of the country."

Well, but these estimates were voted by an unreformed Parliament. Seeing these accusations against the reformed Parliament, he certainly was not encouraged to adopt the principles of the hon. Gentlemen opposite. Indeed, from some of the principles avowed to-night by Members who certainly would be returned to Parliament if the motion of the hon. Gentlemen were carried under a much more extended franchise, he very much doubted whether the legislation of the new Parliament would be marked by much more wisdom than that of its immediate predecessor. Take, for instance, the gallant Officer who spoke shortly before, and who maintained this principle, that provided there had been a reduction in the price of produce, there ought necessarily to be a reduction of taxation; so that according to the hon. and gallant Officer, if you could not get the same price for a yard of calico which you used to do, it would be absurd to levy the same amount of taxation on the people. He always thought that the sound doctrine of political economy was, the more the people saved in the prime cost of an article, the greater was their ability to bear taxation. To suppose there was any analogy between the price of a yard of calico and the amount of taxation which the country was able to bear, was a confusion of ideas which he did hope would be corrected before the hon. and gallant Officer took his seat in the new Parliament. There were a thousand causes which affected the price of goods; and for the hon. Member to say, that the taxation of the country must necessarily have a reference to the prime cost of each article, as corn or calico, showed there would be no great chance of benefiting the country from a Parliament composed of such Legislators. He would undertake to show that the price of a yard of calico, at the present moment, was probably one-third, or at least one-fifth or one-sixth less than in 1780; and he could account for all the causes which had reduced the price; but he would also maintain that it did not follow that the country was not therefore able to bear the same amount of taxation as in 1780. The other hon. Member for Oldham had stated charges against the present Parliament. One of them was, that a bill had been proposed by some individual Member, for the purpose of subjecting juvenile offenders to summary jurisdiction. He could only say that the motives for introducing the bill, if he recollected them rightly, could not be termed adverse to popular rights. Great complaints had been made that the character of very young children who might have committed some trifling offence was ruined by subjecting them to a long imprisonment before they were brought to trial, while the country was put to vast expense by the cumbrous process used for the purpose of punishing boys who might have pilfered a few turnips or apples, and it was considered desirable that means should be taken to rescue these children from the contamination of the society of the gaol. Accordingly a Mem- of the House proposed that summary jurisdiction in such cases should be given to magistrates. There might be many reasons against the proposal, but he thought it hardly fair to denounce a constitution because an individual Member, with motives and objects such as he had mentioned, proposed a measure of this description. Then, with respect to the measure of making *5l.* notes a legal tender, that was advocated by many hon. Gentlemen who were not opposed to the extension of popular rights. He had predicted the evil consequences which were likely to flow from it, and had given his opinion against it. But that was surely a matter which might be considered without its being supposed that the proposers or opposers of it had any hostile design against the liberties of the people. He was rather afraid that an alteration of the currency was one of the measures which would be popular with a Parliament returned under the system proposed by the hon. Member. Then the hon. Member said,

> "See what the late Parliament has done; it has increased the paper currency, and laid the foundation of joint-stock banks, which gave facilities for extending it, the tendency of which, he said, was to diminish the rights and liberties of the people."

If the hon. Member would consult the hon. Member for Birmingham, who sat near him, who was returned by a popular constituency, and respected popular rights, he would no doubt be told that this plan was perfectly consistent with public interests, and with the comforts of the working classes; and that though possibly the hon. Member might not wish to promote the issue of *1l.* or *2l.* notes, at any rate, he would contend for a very considerable extension of the currency, and would expect to give material relief to the public burthens by a measure of this nature. He said then, that the hon. Member had no right to find in any such changes as these an intention on the part of Parliament to limit and confine the privileges of the people. Whatever effect these changes ultimately might have upon the political freedom of the lower orders, they were agreed to by this House without any view to such effect, and without any belief that they would be productive of such effect. Therefore, he thought the charges brought by the hon. Member against the existing constitution of Parliament rested on no good foundation. It was very doubtful, whether, if the principles of the hon. Member for Oldham were adopted, the public interests would be promoted, or the popular will satisfied. The hon. Member declared himself decidedly adverse to the Corn-laws, but said he viewed with satisfaction the consumption of our own corn in preference to that of foreign countries. Then he exclaimed, look at the waste lands of England and Ireland, which have been neglected by the madness of the Parliament, and he proposed the application of large capital to their cultivation, for the purpose of encouraging the growth of domestic corn. If these views were to prevail, he must again doubt whether, in the new Parliament, any great advance would be made in the application of popular principles. With the encouragement of the existing Corn-laws, these lands had not yet been cultivated by individual enterprize. What was the legislation by which the hon. Member proposed to secure his object? Would he lay out the public money for the purpose, and undertake the promotion of agriculture at the charge of the state? If individual exertion the hope of gain, the competition of capital, had not been sufficient to bring these lands into cultivation, would that object be attained by the means proposed by the hon. Member? If the hon. Member thought so, he would find many Gentlemen on his own side of the House who would deprecate the measure, because, however captivating it might be, as tending to promote the interests of the labouring classes, they would tell him it was their bounden duty to resist plausible theories and popular arguments, by which they might be supported, and look only to the ultimate results. Then with respect to the Poor-law, why that law was introduced by many of the most strenuous advocates of popular rights in this country, and was intended for the benefit of the working classes. The hon. Member depreciated the law, and said its character was atrocious; but could it in fairness be said, that it was introduced by the aristocracy, or that it was introduced for the purpose of maintaining the rights of the aristocracy or for any other purpose than this, that the condition of the working classes was so depressed at the time, from a habit of depending on the poor-rates instead of on their own industry, that many of the most fervent friends of the rights of the people thought it expedient to make a great change in the Poor-law, in order to remove that depression! He doubted, whether, if alterations in the constitution were now made, and laws passed for the purpose of gaining popular favour, they would not find precisely the same condition of opinion as at present, and whether the tendency of their changes would not be to injure the firm, comprehensive, and permanent interests of the country for the purpose of making experiments of popular and plausible measures which were great favourites of some hon. Gentlemen opposite. He had now fulfilled the object for which he had risen; he had been unwilling to meet an important motion of this kind with merely a silent negative. He had stated generally the grounds on which he opposed it, believing that it was entirely inconsistent with the existence of the constitution of this country, which, whatever might be the difficulties to which we were now temporarily subjected, had on the whole, secured to the people of this country more of real freedom than had existed in any other part of the globe, under any form of Government whatever.

Mr. *T. Duncombe* could not allow the aspersions which the hon. Member for Belfast had thrown on the working classes, especially those in the manufacing districts, to go altogether unnoticed, and he must give them the most unqualified contradiction. Where his hon. Friend the Member for Rochdale had introduced the hon. Member for Belfast it was impossible for him to say; but he could say he had seen very large assemblages of the working classes in the manufacturing districts and no sentiments of the character attributed to them by the hon. Member had he ever on any occasion heard. The rights of property he had always heard them respect and profess their readiness to uphold. What they claimed for themselves was equality of political rights, and to that, he maintained they were entitled. As to the revolutionary doctrines they were said to hold—that they wished all the factories in the country to be destroyed, that as they themselves were in a state of poverty and distress, they wished their masters and their families also to be ruined—he should like to ask the hon. Member for Belfast, and all who came from the manufacturing districts, who were acquainted with the feelings and wishes of the working classes, whether they could not have gratified these desires, had they entertained them, during the disturbances of last autumn? Did not the House know that the town of Manchester had been in the hands and at the mercy of the populace for three days, and that they might have levelled every factory in Manchester and the adjacent manufacturing towns with the ground, if they had had any such intentions as those attributed to them. He denied that they had any such intentions; he said it was a libel on the working classes to attribute them. Would his hon. Friend tell them where he met the persons of whom he spoke? [Mr. *Ross:* "About four miles from Rochdale."] He understood his hon. Friend also to say, that Mr. Bright had said these sentiments pervaded the manufacturing districts. [Mr. *Ross:* "Yes."] A most extraordinary thing, if they did pervade the manufacturing districts, that they should not have exhibited themselves during the disturbances of last autumn, when, he believed, neither in Manchester, nor in any other of the manufacturing towns, was there a single atom of property injured by those engaged in the disturbances. They had prevented, by violence, threats, and intimidation, a large number of the working classes from pursuing their daily vocation. Nothing could be more culpable than this part of their proceedings, but he believed that not the least damage was done to property. With respect to the motion of his hon. Friend, it was not for him to excuse her Majesty's late Ministers, or to offer any apology for their absence. He supposed, as they had seen their successors take up a considerable portion of their free-trade principles, they thought they might safely leave their finality principles in the hands of the right hon. Baronet; and he must say, a more efficient advocate of those principles they could not find. It was really too absurd to say, that the consequence of allowing every man to have a vote, must be that the aristocracy and the monarchy would be swept away. What was that House called? They named it the people's house; and all that he and his hon. Friend asked was, that it should be identified with the people, and become part and parcel of the people. The House of Lords would remain exactly where it was, though the working classes might be admitted to vote. There was no intention on the part of the working classes to do away with the House of Lords, or offer any disturbance to the Sovereign on her Throne. He did believe that such an intention never entered their heads; all they wanted, all they required was, that their interests should be represented in that House. The hon. Member for Oldham had given them his views, not only of the state of the country, but of the proceedings of the House, in the reformed and the unreformed Parliament. He could discover no great act of benefit to the people accomplished by the reformed Parliament. Catholic emancipation, repeal of the Test Act, the Reform Act itself, had been passed by unreformed Parliaments, and he knew of no other great measure carried, except that of negro emancipation, at the cost of 20,000,000*l.* to this country, and he did not know that there was any thing that might not be carried in this country by money, at the expense of 20,000,000*l.* He believed they might carry the repeal of the Corn-laws at much less; if they gave the country gentlemen only one-half of the 20,000,000*l.*, he ventured to say they might carry the repeal of the Corn-laws to-morrow. He, therefore, did not give the House the slightest credit for negro emancipation, when carried at such an enormous cost to this country. He had not intended to take part in this debate, but he could not hear the statements of the hon. Member for Belfast without giving them an unqualified contradiction. The working classes did not wish for revolution, but Gentlemen would find, if they knew them better, that they had no right to attribute any such opinions to them. If treated with kindness, it would be found that, if they did not surpass they at least equalled hon. Gentlemen in their anxiety to support their character for loyalty to their Sovereign, and to maintain the honour of their country.

Dr. *Bowring* thought that neither ignorance nor poverty should be a bar to representation; indeed, he wished that even erroneous opinions should be represented in that House, in order that they might be brought into the arena of public discussion. The opinion was widely spread throughout the country that the people were not adequately represented; but the organization out of doors was becoming stronger every day for the purpose of making legislation more subservient to public opinion and popular interests; and, whatever the decision of the House might be now, the time was not far distant when it would be impossible for them to hold the reins of power without ceding much to public opinion. He should support the motion of the hon. Gentleman.

Mr. *Muntz* denied that he had advocated an unlimited increase of paper circulation with the view of obtaining a temporary prosperity. He had never recommended anything of the kind. He complained that the value of money did not bear a proper relation to the price of corn, and that they must either alter the money value or the corn laws. With respect to the present motion, he was favourable to a considerable extension of the suffrage; he believed it to be due to the people and absolutely necessary; but, although he wished the duration of Parliaments to be much abridged, he could not support the proposition to make them annual. If Parliaments were annual, then legislation would be nothing but a system of electioneering. He had the deepest sympathy with the people in the privations, the sufferings, and the miseries they now bore so patiently, and he knew that many attributed them entirely to the want of fair representation in Parliament. If the petitions of the people were properly attended to—if justice were done—he felt assured they would give up political agitation altogether.

Mr. *Ferrand* entirely agreed with the hon. Member for Birmingham. If that House paid more attention to the real grievances and petitions of the working classes there would be no more agitation for universal suffrage. During the last Session of Parliament a select committee was appointed to inquire into the injurious effects of the truck system; and the witnesses who were examined before it proved that the working classes were most cruelly treated by their masters in many parts of the country. The evidence taken had been laid on the Table, but up to the present moment no measures had been adopted to put an end to that system of cruelty and oppression. During the present Session a great many petitions had been presented, imploring that immediate steps should be taken effectually to abolish the truck system, and he did hope the Government would pay attention to this subject. There was another subject on which the people in the north of England felt deeply aggrieved—he referred to the cruelties inflicted upon them by the New Poor Law. At this very moment the working classes in the Bradford Union were compelled to walk nine miles to their labour, and after working under a taskmaster all day were obliged to walk nine miles home in the evening. Could men sit down patiently under such treatment as this? The working classes were a patient, enduring, and loyal race of men, devoted to their sovereign and anxious to support the laws and the institutions of the country; it was therefore but right that fair attention should be paid to their petitions. While that House paid so little attention to the petitions and complaints of the people, even when those complaints had been proved before Parliamentary committees, it was less surprising to find them agitating such questions as universal suffrage; but if they would only do the working classes justice they would be content to earn their bread with the sweat of their brow, and leave legislation in the hands of those whose position in society gave them leisure and disposition to attend to it.

Mr. *Stansfield* opposed the motion. Without a great improvement in the education and morals of the people at large the advantages which the hon. Member for Rochdale contemplated by the success of his motion never could be realized. It would only create hopes to disappoint them.

Lord *J. Manners* did not think that a debate of so much importance could well be closed without some further observations being made on his (the Ministerial) side of the House. He opposed the motion, not because he differed from the hon. Gentleman on trivial grounds of expediency. If his difference of opinion were merely one of time or circumstances, he should not vote against it; but differing, as he did, on the abstract principles on which he conceived the motion to be founded,—denying altogether the position that the people were the source of all legitimate power,—believing, as he most conscientiously did, that all political power derived its only sanction and incurred its chief responsibilities from a source far higher than that abstract something or nothing—the people, he felt himself bound to oppose the motion. Furthermore, he conceived that as the principles he advocated were departed from, so the comforts of the people had diminished. For the last 150 years the principles contended for by the hon. Member for Rochdale had been more or less put into practice, and as power was taken away from the mitre and crown, and transferred either to the people in that House or out of it, their physical and moral happiness had been lessened. This fact had been so happily expressed by Sir Edward Bulwer, that he could not help quoting his words. Referring to questions of this sort, Sir Edward Bulwer said:—

> " They tell thee in their dreaming school,
> " Of power from old dominion hurled,
> " When rich and poor with juster rule,
> " Shall share the altered world.
>
> " Alas! since time itself began,
> " That fable has but fooled the hour,
> " Each age that ripens power in man
> " But subjects man to power."

He would extend the feeling of responsibility between the rich and the poor, and shorten the interval which in his opinion was growing too wide between those for whom wealth was made and those who made it. Thus they would most materially promote the welfare of all classes. It was because he was convinced that the happiness and prosperity of the people were intimately connected with the triumph of those principles—principles which, as they demanded ready obedience on the one hand, involved the most serious and awful responsibilities on the other—principles which, while they would render the church triumphant, and the monarchy powerful, would also restore contentment to a struggling, overworked, and deluded people—that he opposed the motion of the hon. Member.

Mr. *Trelawny* would not support a motion for annual Parliaments and universal suffrage, but he was favourable to a considerable extension of the suffrage and triennial Parliaments. The noble Lord who had just sat down talked of " that abstract something or nothing, the people"; and he could not help thinking such a designation came with peculiar appropriateness from a noble Lord who supported the corn laws, thinking no doubt, that an " abstract something or nothing" must be incapable of eating and drinking.

Sir *W. James* felt all the responsibility of addressing the House on such a question in the present state of the country. He was a decided opponent of all organic changes in the constitution, and was, moveover, of opinion that all such attempts, as far as they had been carried, had hitherto proved failures. It was thought by many hon. Members that the Reform Bill, at the time when it became law, would prove a remedy for all abuses; and it was little short of heresy, at that time, to venture a suspicion as to its perfection. Yet how many had since confessed it to be an utter and complete failure. It was thought by the lower orders that that measure was to improve their condition and give them cheap bread; but it had failed, as he believed every further experiment on the side of democracy would fail. The hon. Member's motion, if successful, must overturn the institutions of the country before the lapse of many years; for one of its first effects must be to stir up a conflict between the upper and the lower branches of the legislature, in which the humiliation of one was certain, a state of things which had resulted from a former measure in its early operation. If the present motion were carried, what would the Sovereign become but the chief magistrate of a republic? From the time of Henry VII. to the treaty of Vienna there had been a constant struggle between the House of Commons and the Crown; but since the latter period the struggle had been between a certain portion of the House of Commons and the democratic principle out of doors. It was said by Lord Chatham, on undertaking the Government at a very critical period, that he could save the country, and no one else could. He wished to see this feeling animate the right hon. Baronet opposite. He thought the measures of the past year were all in a right direction, and that the worst consequences would have ensued if they had not been adopted. He hoped all the upper classes would see that the time was come when they must make sacrifices to set the labourer free from the consequences of the competition now going on. The simultaneous increase of the price of corn and the national debt from 1790 to the peace was evidence that a virtual bargain was struck between the state and the people; but as the state received taxes so it should have the power of issuing currency which would enable the working classes to cast the burthen of taxation upon their superiors. Since that time, however, we had changed the system, and thrown a much greater burthen on the labouring classes than it had ever been thought they would be likely to bear. He thought it was the duty of the House to promote the physical comforts and happiness of the lower orders, but as he did not think it likely to effect that object he could not give his support to the motion.

Mr. *Hindley* rose amid cries of " *Divide*," and said, that after the observations made by the hon. Baronet who had last addressed the House, he was surprised that the hon. Gentleman had not voted the other evening in favour of the motion of the hon. Member for Wolverhampton (Mr. C. Villiers). He was glad to hear the hon. Baronet express so much anxiety for the improvement of the condition of the labouring classes. He must at the same time observe, that he thought there was some inconsistency in the conduct of the hon. Gentleman, who, professing great anxiety for the welfare of the people, still opposed the repeal of the Corn-laws. They had been told that having demanded " the bill, the whole bill, and nothing but the bill," and having obtained their request, they ought to be satisfied; but the question was—had they got what they had demanded? They had got the bill and something more. Two clauses had been subsequently introduced, which completely swamped the rest of the bill, and but for those clauses hon. Gentlemen opposite had never enjoyed their majority. He certainly thought that one class of the community ought not to have the power of imposing taxes which another class wss compelled to pay. He believed that if the people had justice done them, they would not seek for further reforms, as he believed if the legislature had done justice to the people of Ireland, the agitation which now prevailed in that country on the subject of repeal would never have arisen.

Mr. *S. Crawford*, in reply, said that his hon. Friend the Member for Belfast (Mr. Ross) had alluded to a meeting at which he (Mr. Crawford) was present, and at which one of the speakers expressed a desire for the destruction of machinery throughout the country. He remembered that one of the speakers on that occasion adverted to the injurious effects of machinery, with regard to the operatives; but he could not recollect that any such expression as that mentioned by the hon. Gentleman was used. He might also observe, with respect to another allusion of the hon. Member for Belfast, that he was present at a meeting at Leeds, at which one of the speakers referred to the dangers which might result to the monarchy if fair and just reforms were not conceded; but certainly such strong language as that stated by the hon. Gentleman was not uttered. He had no recollection that any language was used on that occasion which could be construed into a desire to subvert the monarchy.

House divided—Ayes 32; Noes 101: Majority 69.

List of the AYES.

Blake, Sir V.
Blewitt, R. J.
Bowring, Dr.
Brotherton, J.
Christie, W. D.
Collett, J.
Collins, W.
Curteis, H. B.
Duncan, G.
Ewart, W.
Fielden, J.
Gibson, T. M.
Hatton, Capt. V.
Hindley, C.
Johnson, Gen.
Marsland, H.
Muntz, G. F.
Murphy, F. S.
O'Brien, J.
Pechell, Capt.
Plumridge, Capt.
Roebuck, J. A.
Scholefield, J.
Strickland, Sir G.
Tancred, H. W.
Thornely, T.
Trelawny, J. S.
Villiers, hon. C.
Wakley, T.
Ward, H. G.
Wawn, J. T.
Williams, W.

TELLERS.

Crawford, W. S.
Duncombe, T.

List of the NOES.

Acton, Col.
Allix, J. P.
Arbuthnott, hon. H.
Arkwright, G.
Baillie, Col.
Baillie, H. J.
Barnard, E. G.
Blackburne, J. I.
Borthwick, P.
Botfield, B.
Boyd, J.
Browne, hon. W.
Chetwode, Sir J.
Childers, J. W.
Clayton, R. R.
Clerk, Sir G.
Colquhoun, J. C.
Compton, H. C.
Corry, rt. hon. H.
Craig, W. G.
Cripps, W.
Damer, hon. Col.
Darby, G.
Davies, D. A. S.
Divett, E.
Douglas, J. D. S.
Dowdeswell, W.
Eliot, Lord
Escott, B.
Farnham, E. B.
Ferrand, W. B.
Flower, Sir J.
Ffolliott, J.
Forbes, W.
Gaskell, J. Milnes
Gladstone,rt.hn.W.E.
Graham, rt. hn. Sir J.
Greene, T.
Grimston, Visct.
Halford, H.
Hamilton, W. J.
Hampden, R.
Hardinge, right hon. Sir H.
Hawes, B.
Hay, Sir A. L.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hill, Lord M.
Hinde, J. H.
Hope, hon. C.
Hope, G. W.
Howard, P. H.
Hughes, W. B.
James, Sir W. C.
Jermyn, Earl
Jones, Capt.
Kelburne, Visct.
Kemble, H.
Lawson, A.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, H. H.
Lowther, hon. Col.
Lygon, hon. Gen.
Mackenzie, T.
Mainwaring, T.
Manners, Lord C. S.
Manners, Lord J.
Marsham, Visct.
Masterman, J.
Maxwell, hon. J. P.
Meynell, Capt.
Nicholl, rt. hon. J.
Northland, Visct.
O'Brien, A. S.
Peel, rt. hon. Sir R.
Peel, J.
Polhill, F.
Pringle, A.
Richards, R.
Rose, rt. hn. Sir G.
Scarlett, hon. R. C.
Smith, rt. hn. T. B. C.
Somerset, Lord G.
Sotheron, T. H. S.
Stansfield, W. R. C.
Stewart, J.
Sutton, hon. H. M.
Taylor, T. E.
Tollemache, J.
Trench, Sir F. W.
Trotter, J.
Vane, Lord H.
Vesey, hon. T.
Vivian, J. E.
Waddington, H. S.
Wellesley, Lord C.
Wemyss, Capt.
Young, J.

TELLERS.

Fremantle, Sir T.
Baring, H.

NATIONAL EDUCATION.] Mr. *Roebuck* rose to bring forward the motion which he was now about to submit to the House in consequence of the measure which had been introduced by the right hon. Secretary of State for the Home Department (Sir J. Graham) relating to the Education of the people. He would ask the House to consider this question calmly and deliberately; and he would promise the right hon. Baronet, that in discussing the subject he would give him (Sir J. Graham) full credit for the intentions with which he had introduced his measure. He would abstain from imitating the conduct of parties out of doors, who in discussing this question had evinced an utter absence of charity. His object in bringing forward this motion was not to introduce a discussion which might give occasion for the display of any asperity or bitterness. He would be the last person in the world to excite any ill-feeling on a subject of such vast importance—one which involved the rescue of a vast portion of our fellow-countrymen from the thraldom of ignorance. If he thought that the resolution he was now about to propose would throw any difficulty in the path of the right hon. Baronet, he would not press it; but he believed his resolution would afford them the only possible means of escaping from the difficulties by which the subject was encompassed. No system of education would be concurred in by the people which recognised the predominance of any one sect. But, before he went into the discussion of that portion of the subject which was connected immediately with the proposal of the right hon. Baronet, he would ask the House to bear with him while he invited their attention, in a form not usually employed in discussions in that House, to several points respecting education. He knew that the subject was dry and uninteresting, and, therefore, he could only hope for the indulgence of the House for a short time. When they set about forming a plan of national education, the first inquiry they should address to themselves ought to be "What have we in view when we set about framing a system of national education?" and, having clearly placed before their minds the object they had in view, then they ought to analyze and arrange the various means which might be at their disposal for carrying that object into effect. Now, it appeared that a portion of the population of this country was unable or unwilling to give their offspring that amount of education which society, as at present constituted, thought requisite for the wellbeing of the children themselves and the security of society at large. If, then, the object of national education was what he took it to be,—if national education consisted in the endeavour to impart the knowledge to children which might enable them to do their duty in that station of life in which Providence placed them, which might enable them to consult their own happiness consistently with the happiness of others; and in the endeavour also, whilst they gave the knowledge which taught children to know what was right, to give that knowledge which would enable them to follow what was right—then any person who applied himself to the formation of a plan of national education ought to institute an accurate analysis of the means by which he was to work out this problem,—how to give the knowledge it was requisite for each child to receive, and how to form the habits of mind which would enable each child to follow out that knowledge when given. He was not about to enter upon that analysis; he should only observe, that their objects in national education ought to be, first, the mere knowledge to be given; second, the habits of mind to be formed. Now, as to the knowledge to be given there was no dispute; all were agreed as to the sort of knowledge which ought to be given, but, with regard to the habits of mind, there were various sanctions, the knowledge and importance of which were to be made apparent to the mind of the child. For example, he might teach a child that it was not to steal, but, then, he had to teach it why; he had to show that it was for the happiness of others that no violent abstraction of their property should take place, and for its own happiness that no other practice than that of perfect purity in this respect of stealing be established. But he had another thing to do—he had to create the habit of mind which should induce the child not to desire stealing. Now, of the means of creating this habit a vast portion was beyond the reach of Legislation. When they spoke of education, they should recollect that properly education reached from the cradle to the grave; that it consisted not merely in that which was taught at school, but that it was the same of circumstances in which an individual was placed, and which reached (as he had said) from the earliest birth of the infant to the latest hour of life. Now, there were a hundred circumstances of health and habits of early youth which were beyond the reach of legislation; but, on the other hand, there were many circumstances of early youth which were within the reach of those who directed their minds to the subject. Of these, again, some were within the reach of legislation; others were beyond their grasp. All those effects which scholastic discipline could produce were within the power of legislation; all that part of education which consisted in merely learning duties raised no dispute—all which related to the various sanctions of society, as, for example, the sanctions of law and the sanctions of public opinion, all that might be taught by any person without any fear that any danger or ill-will should accrue. But there was one of the sanctions which was found to create the greatest possible doubts, animosities, and ill-blood among mankind. Let it be observed, that to create proper habits in the child sanctions were necessary, one of which, the religious sanction, was surrounded with difficulties in its application. Now, then, the Legislature had to ask itself this question, "I may impart all necessary knowledge; I may give all that, and no dispute will arise about it; but there is one sanction, that of the mysterious future, that which religion teaches, over which there has been unfortunately cast, from the world's foundation to the present time, much rancour and dispute; how am I to dispose of that?" Now, there was no dispute that the Legislature might take into its own hands the management of this sanction in a community where there was only one religion; but in a community where there were many religions this difficulty arose. From the commencement of the history of mankind, persons had been dedicated to the task of teaching religion, and by its ceremonies and observances creating that habit of mind of which he had spoken. That was their special business; the creation of that habit of mind was the business of the priest; and the question the Legislature had to ask itself in a community consisting of various sects was, whether all the other sanctions might not be employed, and taught the child, and whether the sanctions of religion might not be safely left to the teaching of those who were dedicated to teaching religion, each in his particular sect or division. He was not, let it be observed, endeavouring to get rid of religion, but, on the contrary, to make out a way by which to increase the knowledge, and alleviate much of the miseries of a great portion of the population. He would now proceed to support his proposition, and he should do it in this way; he should endeavour to show, that in a country where various religions co-exist, and the great doctrine of reliance on private judgments is introduced, any way of education which sought to make poverty the means of instructing children in doctrines which the parents don't desire they should be instructed in, was an infringement of that great doctrine of private judgment, and therefore unjust; and he should next show that, wherever there were various sects, it must be impolitic as well; and he thought that, from the circumstances which they witnessed in the House and out of it, any such attempt must frustrate itself, and that every measure based on such a principle would be found to be utterly impracticable. He came to that conclusion with regret; he said it knowing what would be said of him in return, but he was so familiar with calumny that he was hardened to it; at any rate, many persons might wonder at such a sentiment coming from him, but he could not help perceiving that every rude and ignorant people must be excited if they were to be instructed, and from the times of Greece and Rome down to John Wesley, they had been excited; and it was a means of instruction which, if the condition of the many would permit, he should be happy that the state should employ. But it was impossible that the state should employ it among a people like our own. He did not mean, however, to say, that the state should exclude completely religious instruction in giving that knowledge which the parents should wish; but having a state church, all he asked was, let us not have a state school. If it were necessary to have a state church, they must assume that it did its duty. But they knew that religion was taught by separate sects; all he asked, therefore, was, "let the children learn all that is requisite for them to know, at the expense of the state, but do not interfere so as to create ill blood and asperity by teaching religion." His first proposition then was, that the interference of the state in this matter was unjust, and ought not to be perpetrated; he meant the word "perpetrated" in no offensive sense—he would say, ought not to be done. It must be borne in mind, that the great principle of private judgment was admitted by the law, and was the foundation of the Protestant religion. He knew that proposition was now called in question, and he was very much grieved to see that the mode in which it was called in question was one of the great causes of the extraordinary explosion which had taken place on the subject of this bill; but the doctrine of the right of every man to form his own opinions on religious subjects was acknowledged by the law, by the Protestant religion, and by all sound morality. If he asked the question, he found that it appeared that some part of the population from poverty were unable to give their children that secular instruction which it was for the happiness of the children, and for the happiness of society that they should have, and which they ought to receive. Then the State said, "I perceive the want, I perceive the inability of these people, but at the same time I cannot give them secular instruction, without instruction in religion, which will hurt the feelings of the parent in many cases, and make him feel himself an insulted and degraded person." The poor man said, "I should be glad; but I find the schools closed up, that I cannot send my child without some distinction from the others, and I find that arises out of the teaching religion." This was what was said, and he found, that the compromise offered by the right hon. Baronet (Sir J. Graham) was scouted by all sects in every part of the country. The conclusion, therefore, which he drew was, that the State should leave the teaching of religion to the pastors of the various sects, and confine itself to secular instruction. But he was here met by an objection, where he did not expect it, from a portion of the religious world—namely, who said we can make an arrangement which will be quite pleasant to the majority. He could not understand that. If he was to make any compromise, it should be that of the right hon. Baronet, and he would make the state religion be taught. He should be carrying out the opinion of the majority by doing so, for there could not be a doubt that the Church of England in England comprised an enormous majority of the population. But if any body doubted it let him look to the return which had been moved for by the hon. Baronet the Member for Oxford University (Sir R. Inglis) of the number of marriages, and he would find that the Dissenters married were in proportion to the Churchmen as one to four; but if he was to follow out the principle of private judgment, he claimed it for all sects—for Jew, Turk, and Deist, and, if there were such a being, for him who was of no religion. If that was denied him, he went back to the proposition of the right hon. Baronet. He had shown then, that this religious teaching was but in aid of all other teaching, and that they did not lose by allowing it to be taught by the various sectaries to their children, but, on the contrary, gained by adopting that course, the benefit of the principle of co-operation of all sorts of persons as well as a healthy emulation. But if, on the contrary, they gave the power of instruction to any one sect, then they were sure of a snappish, snarlish contention, instead of a generous emulation. He said, then, that it was unjust to interfere in the case of the poor with private judgment, and as unjust as in the case of the rich. He next came to his second proposition, that in any community in which there were various sects, it was quite clear that such an interference was impolitic. Supposing they had not had the experience of the last few weeks, this was clear; and then did the right hon. Baronet believe that any plan of taxing the people for the establishment of national education on the principles of the Church of England could be viewed with pleasure and complacency by the great body of the people? But he asked, why raise the question? What mischief was not done by raising it? You wanted co-operation—you wanted to instruct the people. How were you to gain co-operation? By giving no offence. You would give no offence if you would put all parties on an equality on a matter on which you had no right to say that you were better than your neighbour. If ever there was a case on which the experiment might have been made with safety, the right hon. Baronet had that case before him. What was it? A noble Lord (Lord Ashley) had drawn a picture of great misery — horrible ignorance amongst a large portion of the population. The House was naturally struck by the description and was anxious to endeavour to relieve and to rescue the people. All the sympathies of the House were raised on the part of the children, whose lot was principally in the hands of the Government, and if ever there was a case in which that sympathy would have reached out of doors and have influenced Churchmen as well as Dissenters that was the case. The right hon. Gentleman had tried the experiment. If he (Mr. Roebuck) were to point to the scenes which had been described by the noble Lord (~~Lord~~ Ashley) on a former occasion, he would go over them again, but he could not give expression, as the noble Lord had done, to the dreadful darkness of that ignorance which prevailed, or the mischiefs which it entailed on the moral and physical condition of the poor of this country. If, however, he were an orator, he would attempt again to depict those facts, in order to make clear before the House the horrible scenes which the noble Lord had described. And why would he do so;

Why, to show the favourable circumstances under which the right hon. Baronet might have brought forward a measure based on just principles. If beforehand he had been asked what would be the probable consequences or course of proceeding under such circumstances, what should he have said? He would have said, that the Church should have been particularly careful to abstain from all attempts to seize upon power; the Church should have shown no desire but that of co-operating in the benevolent and enlarged principle of humanity on which the noble Lord had acted. The Church like that noble Lord, should have shown itself above all petty distinctions, it should have shown itself the friend of peace and goodwill to the people. The Dissenters should have shown themselves above all sectarian principles, or at least above those disputes which in other cases might be stirred up; they should throw themselves hand and heart in zealous co-operation with the Churchmen, though they differed from them on religious points; they should have shown that they had but one object in view, that of raising the manufacturing population of this country out of that ignorance into which they were sunk. But had the result of the right hon. Baronet's measure answered these expectations? Had the Churchmen on the one hand abstained from grasping at power? And had the great Dissenting body shown themselves ready to participate in the benefits which they might have been instrumental in carrying out? He thought he had shown that the Church was desirous to grasp at power—[*No.*] You cry no; and when I come to the Dissenters I shall be told no, by hon. Gentlemen on this side. And yet I say with regard to the Dissenters, that I do see on the other hand an unwillingness to enter into any accommodation expressed by the Dissenting body a cry of no surrender. They would not attempt to enter into a discussion, and they said of the bill, " Though you may alter and amend it from its commencement to its last section — throw out the bill—do not for a moment discuss it." That was the feeling expressed by the great body of the Dissenters. If he thought it necessary, he might be tempted to go at large into this view of the case; he might show that whatever might be the wishes of these parties, it was equally clear that the immense power connected with the machinery of this bill was thrown into the hands of the Church. There were two distinct things which showed a want of judgment in the framing of this measure. It was founded on the narrow basis that education should depend upon the accidental circumstance, or test of employment. When there was no employment there was to be no instruction. It was a partial measure—it was not for the extension of education, but for a system of education dependent on the merest chance in the world — namely, that of employment. So far then the measure was defective in the first place,—it rested on a narrow basis—on a narrow principle of education, dependent on a test, that test being employment, and did not apply, moreover, to the first eight year of the child's life. In the next place, the working of the machinery was thrown into the hands of Churchmen. First, from the Secretary of State to the very teachers, they must be members of the Church of England. The Secretary of State was a portion of the machinery —Privy Councillors in the same way—and then came the teachers — [*Hear*]. What, must they not also be of the Church of England by the bill? Was not the instruction to be given by teachers of the Church of England? Was not the appointment of the teachers dependent on the bishops of the Church of England? They could not stir a step in the bill but they met with some wonderful attempt on the forbearance of the people. He should show that in a moment. Supposing a child to gain the ill-will of any of the persons connected with the school or of the teacher; he could not come to school, he could not work, therefore he could not get his bread, so that they made the life's blood of the child depend on his creed, and might not that be a matter of daily occurrence? They were, in fact, employing the bill as a test of the religious belief of the community, and were about to create distinctions among them as a means of earning their bread. The grand faults of the bill were, that it went first on a narrow basis, and next on a sectarian basis; and when he saw this narrow, grasping disposition manifested on one side, and on the other a feeling so averse to conciliation that conciliation would not be listened to, he had no hopes of the measure. The Government would do wisely in putting themselves at the head of public opinion, and in acting as its guide, and not its follower, in showing themselves above sectarian feelings, and in setting a great example of forbearance and toleration. The Government ought to show that it had what he should call a Catholic feeling—that it allowed itself not to be influenced by any party, petty faction, but that in its wide benevolence it would teach what it could with safety, and say to all contending sects, "teach your religion as you are able; each sectarian come and teach his own peculiar tenets; let there be no 'let or hindrance' to any one to teach. All we do is to prepare the children for you to enable them to understand such religious instruction." To the Church it should say, "Your ministers are many and mighty, come and aid us in our teaching; but do not interfere." To the Dissenter it should say, "Teach the children for their eternal welfare; but while I am endeavouring to assist the unfortunate parent unable to instruct his child as he ought to be instructed, while I am pursuing that benevolent purpose, and doing my duty, as a Legislature do not interfere, but follow in my steps." If the Legislature would do that, it would prove what it ought to be, the leader, the guide, and instructor of the people, and not one that hunted after public opinion, but in its own opinion would guide, direct, control. He would have the right hon. Baronet at the head of her Majesty's Government aspire to that high position, and in terms and language better than he could employ, say to the country, "follow in the right path, where complete unshackled freedom directs you—be you a wise and patient follower." He believed that the opinion of the people of this country would bear them out in pursuing such a course; he believed that the country would say that they set a wise example as legislators and would support them. Therefore, wishing to heal all differences—wishing to instruct and guide the people in all that related to their temporal welfare, wishing to cast no obstruction in the way of instruction, but to aid and assist the teacher, he should ask the House to come to the resolution which he should now conclude with moving:—

"That in no plan of education maintained and enforced by the State, should any attempt be made to inculcate peculiar religious opinions; because, as such an attempt would be considered a plan for maintaining and strengthening an undue superiority of one sect over all others, the animosities and strife already existing among different religious denominations would thereby unhappily be greatly increased, and the cordial co-operation of all sects and denominations, which is absolutely necessary to insure the success of any plan of public education, rendered impossible."

Sir *James Graham* said; I know not that under any circumstances, or on any occasion, I should be competent to follow the hon. and learned Gentleman who has just resumed his seat, through the philosophical disquisition in which he has brought before the House, with that perspicuity which he so remarkably exhibits, the subject of education; but, at present I am placed under an additional disadvantage, for, I must confess to the hon. and learned Member, that I did not altogether expect that his motion would come on this evening; and I must frankly tell the House, that my various pressing avocations have prevented me from bestowing that attention on this proposition which the vast importance of the subject requires. The hon. and learned Gentleman at the commencement of what he addressed to the House, made two important admissions. He said, that this was an abstract resolution, and that the matter which it contained, was surrounded with great practical difficulties. Now, an abstract resolution of this nature necessarily carries with it, if adopted, consequences of vast importance, and I shall consider it my duty to resist the resolution which is proposed. I am bound to believe from the assurance which the hon. and learned Gentleman gave to the House, that it is far from his intention by the present resolution, to prejudice a practical measure which I have submitted to the House, which is now on the Table which has been partly considered, the principle of which has been adopted, and the details of which only remain for discussion. I am satisfied that whatever may be the intention of the hon. and learned Gentleman, yet the House not being to-night prepared for the discussion of that measure I should do infinite injustice to the subject, which has hitherto been treated with remarkable forbearance, if I proceeded prematurely to the defence of its provisions. Therefore, I shall not follow the hon. and learned Gentleman through all that part of his speech in which he particularly dealt with the bill to which I have referred. But I must, in justice to myself and to the Government, set the hon. and learned Gentleman right upon one or two material points. He has treated the measure as if it were propounded by the Government as a scheme of national and general education. Now, the hon. Gentleman will do me the justice to remember —and I am sure the House will agree with me in what I say—that I specifically guarded the Government against that construction. I distinctly said, that the measure never was intended as a scheme of national education; that it was meant to grapple with difficulties confined within certain limits, which are specified by the bill itself; which are limits not now newly invented or discovered, but which have been already laid down and marked out by the wisdom of Parliament. I proposed to deal with that portion only of education, which in this country is compulsory by law as a condition of the employment of children in the three great branches of our staple manufactures, I mean our cotton, woollen, and flax manufactures. In my bill I propose somewhat to extend this plan to the silk, and possibly to some other trades; but I distinctly stated to the House that which I now beg to repeat, that I did not propose a scheme of education to be applied to the nation at large, as the hon. and learned Genrleman has contended, but that I made the proposition only as an amendment of the existing system, in respect of the quality of the education which the State now provides as a condition to the employment of children. As a specimen of the inaccuracy of the hon. and learned Gentleman, if he will pardon me for so saying, I may refer to the observation which he made, that the bill is framed with the exclusive spirit of a churchman in every minute detail, and he says that the whole machinery must belong to, and must fall into, the hands of churchmen; and he begins with the highest offices, and says, first of all, that the Secretary of State must be a churchman. Now, it so happens that there is, at this moment one of her Majesty's Secretaries of State (the Earl of Aberdeen) who is a Presbyterian. Next, the hon. and learned Gentleman says, that the Privy councillors must be Churchmen. There is, however, now present a remarkable exception in the person of the right hon. and learned Gentleman who sits opposite (Mr. Sheil) who is not a member of the Church of England; but, who, nevertheless, by his learning and ability, has risen to the position of a Privy Councillor. These are specimens of errors into which the hon. and learned Gentleman, in his zeal of attack, has been led. I may observe, also, that some of the topics which he has introduced into his speech have no immediate bearing upon my bill. He spoke of the force of public opinion, of the influence of domestic habits, of various sanctions more binding than school discipline, in training and educating youth. He said, that religion was one of these sanctions, and I say, and with deference, that I consider it the first and most important of all; and although this country at the present moment is disturbed by the heat of religious dissension, yet I do believe that upon this, the cardinal point, there is a strong—an almost universal—concurrence of opinion, that education, to be sound, to be safe, nay, to be useful, must be based on a knowledge of the scriptures. Churchmen differ from the Dissenters upon the precise doctrines to be inculcated, we differ with respect to the judgment to be formed, but we agree that the distinguishing mark of Protestantism in this country is perfect freedom of private judgment; and entertaining this opinion, speaking generally, I affirm, that both Churchmen and Dissenters are equally desirous that the private judgment should be formed when a man arrives at the maturity of discernment upon an early knowledge of the scriptures as taught in shools. The hon. and learned Member will excuse me if I call his attention to what I must say appears to me an error in fact on the face of this resolution. It is comprised in the first line and a half of the motion. That which we are called on to affirm is, "That in no plan of education, maintained and enforced by the State, should any attempt be made to inculcate peculiar religious opinions." What follows is matter of reasoning, and the point and real pith of the resolution consists in the word "peculiar." If the hon. and learned Member would put to the House a resolution excluding the word "peculiar," I am satisfied that an overwhelming majority, not only of this House, but of this great community, will be found arrayed against it; for I am sure that the vast majority of the people of this country are prepared to negative the assertion "that in no plan of education maintained and enforced by the State should any attempt be made to inculcate religious opinions." What then is the force of this word "peculiar?" Having dealt with the proposition of the hon. and learned Gentleman, I will proceed to his reasoning: and it does so happen that there are two instances in the United Kingdom which completely negative the induction which this motion seeks to establish. In Scotland it does so happen that, with the greatest possible advantage, with the greatest possible harmony, the State does impart to the people peculiar religious instruction; and this is a circumstance which, to a great extent, negatives all the reasoning of the hon. and learned Gentleman; because, so far from discord raging, though they do quarrel in that country upon points of discipline with respect to their Church, perfect unanimity prevails with regard to doctrinal instruction. In every parish there is a school, which is superintended by the minister of the parish, and whatever doubt there may be with respect to any other part of the discipline of the Church of Scotland, it is universally admitted that the parish school system is a great ornament and a great blessing to that country, and is highly conducive to the civilization as well as the welfare of its industrious people. This circumstance, therefore, refutes part of the argument of the hon. and learned Gentleman. The attempt, however, has been made in another part of the kingdom to avoid the evil which it is said is likely to arise from the inculcation of peculiar religious instruction. An attempt has been made in Ireland to avoid this difficulty, and to teach scriptural religion without imparting peculiar doctrines. I will not here pronounce an opinion on the success of this experiment; but it has failed to produce concord and religious peace. I do not wish to follow these two points further, but they occur to me as affording a strong illustration of the fallacy of the arguments of the hon. and learned Gentleman. The hon. and learned Gentleman said that religion had been at all times used as an incentive to knowledge, by reason of the excitement which it produces. I say that when a human being believes in the great truths of Christianity, that which touches his eternal interest will excite much deeper feelings than that which is limited to his temporal concerns; but Legislators in directing the operation of those truths should bear in mind that they are not the means of excitement; they are the blessed means of eternal salvation. The hon. and learned Member says, that the measure of the Government, to which he has particularly referred, savours of preference to what he terms "one sect," for that is the expression used in the resolution. I beg to state to the House what I strongly feel on this subject. I am sincerely attached to the Church of England. It is established by law, and, being so established, has obtained a preference at the hands of the Legislature; but I never can forget that the principles of toleration are also established and sanctioned by law; and the moment it became my duty to deal with a scheme of compulsory education, and the bill is strictly so limited, from that moment I felt it my duty to endeavour to combine the two principles of respect for the claims of the Established Church on the one hand, and of equal respect for the conscientious scruples of Dissenters on the other. The hon. and learned Member, and I am afraid the Dissenters both in and out of the House, are not satisfied with the term toleration, but they contend for the principle of perfect equality. Now, I do think that while the Church of England remains established, the preference must be given in favour of that Establishment, and I am entitled to argue the case thus: I will put the case that there is a school established, which is presided over by one master; (I assume, for the reasons which I have already stated, that it is the imperative duty of the Legislature to adopt a system of education by which the Scriptures must be taught) there being, then, children of Churchmen, professing the religion favoured by the State, and it being necessary that the Scriptures should be taught, the question remains—every care being taken that no particular tenet on which any doctrinal difference exists shall be inculcated, and it being necessary also that the master shall be of some creed—is it too much to ask that the creed professed by the master shall be the creed of the Established Church? I say that as a Minister of the Crown—that Crown being the head of the Church established by law, I should betray my duty if I made any concession on this point. Conscientiously I cannot do it—as a Minister I believe it would not be consistent with my duty—as a Member of Parliament I should not be true to my private judgment. To every security that can be given, or can be asked, where education is compulsory, to prevent the undue inculcation of peculiar tenets, I think the Dissenter is fairly entitled, and such securities shall have my cordial support. Nor have I shown myself unwilling to make concession for that object. The Roman Catholics object to the reading of the authorised version of the Scriptures; they have conscientious scruples on the point, and it has been thought necessary to admit such scruples. But on the part of the great body of Dissenters, so far from their objecting to free access being had to the Scriptures, I do not believe that they would be satisfied with any system of education which debarred them from their free use. The whole difficulty turns on this point; can you find security against the undue inculcation of peculiar tenets, if the master shall profess the religion of the Established Church? I believe that my bill provides sufficient security. I shall be ready to discuss that point when the measure shall be in committee; but I do not think it advisable to dwell further upon it now. I should be grieved if anything that I have now said should aggravate the difficulties of the question, when it shall be brought forward. I am anxious to discuss it in the most frank and cordial spirit; but I must repeat to the hon. and learned Gentleman that by forcing on this discussion, on the present occasion, he has much increased the difficulties of the future consideration of the measure, and has, I must say, offered some obstruction to its further progress. The hon. and learned Member says. that he was forcibly struck with a statement made by my noble Friend, the Member for Dorsetshire (Lord Ashley) when he enlarged upon the gross unhappy, and heathenish ignorance which prevails among the lower classes in some parts of the manufacturing districts. The desultory and uncombined efforts of Churchmen and Dissenters, have not been sufficient, to prevent this unhappy state of things. The safety of the community demands that some attempt should be made to penetrate the darkness which prevails. I should have neglected my duty if I had not called upon the Legislature to sanction a combined effort to attain so desirable an object. Whatever may be the result of the attempt, I, for one, shall not regret that it has been made. The hon. and learned Gentleman has made use of an expression which is extremely happy in itself, and which has fully conveyed to the House my feelings upon this subject; he said that the Legislature, as a Legislature, should be the guide of the people, and that we should endeavour to lead them the right way. That is exactly what I hold to be the duty of the House. We are bound to guide the people and to lead them in the way that they should go. Upon this subject the immortal Hooker has truly said:—

> "There is a politic use of religion. Men fearing God are thereby a great deal more effectually than by positive laws, restrained from doing evil, for these laws have no further power than over our outward actions only: whereas unto men's inward cogitations, unto the privy intents and motions of their hearts, religion serveth for a bridle. What more savage, wild, and cruel than man, if he see himself able either by fraud to over-reach, or by power to overbear the laws whereunto he should be subject? Wherefore, in so great boldness to offend, it behoveth that the world should be held in awe, not by a vain surmise, but by a true apprehension of somewhat, which no man may think himself able to withstand; and this is the politic use of religion."

I say, that if you would restrain the people from the commission of crime, it must be by such means. But I do not believe, that any exertions of man, or of human knowledge, can succeed, if we neglect that which is the great guide to truth, I mean the Holy Scriptures; and I am satisfied that in England, whosoever attempts to proceed on the assumption that the people of this country could be educated without the aid of the Scriptures, and that it would be wise to exclude the Scriptures from a system of national education, would commit the grossest error. I may have erred in the mode of carrying out my views; at the right time I shall be prepared to enter into a discussion upon that point; but, for reasons which I have already frankly stated, I am bound to assure the House that it is impossible for me to assent to this resolution: and I hope the House will agree with me in this view. I do not think that the resolution is accurate in point of fact—that it will be politic to agree to it—that it can be practically carried out. It is certainly at variance with the proposition which I have submitted to the House, but it is not on that ground that I propose to reject it; I reject it on the grounds put by the hon. and learned Member himself—that it is an abstract proposition—an abstract proposition fraught with great practical consequences, and my belief is, that those consequences would be injurious to the country. Entertaining this opinion, I am bound to meet the motion with a direct negative.

Mr. *Sheil*: The Roman Catholic population of this country is already so considerable, the Irish immigration into the factory districts is so great, that being a member of that Church, to which there exists in this country a tendency to revert, I think myself not unauthorised to take part in a discussion, with which the merits of the Factory Bill are so intimately connected, I frankly acknowledge, that considering the difficulties with which the Government have to contend in reference to all questions relating to the Roman Catholic religion, a concession by no means unimportant has been made to us. It is not rendered imperative on Catholic children to read and to learn the authorised version of the Scriptures, as we entertain the opinion that the sacred writings ought not to be used as a school book, that the rudiments of literature ought not to be taught through its intervention, that an irreverent familiarity with holy writ may lead to its degradation; that the perusal of the bill, unaccompanied with that interpretation which our Church has from the earliest foundation of Christianity, as we conceive, put upon passages which are either obscure or doubtful, is not judicious, and that the unqualified exercise of the right of private judgment must conduce to error, as we hold besides, that facts are recorded in the history of an exceedingly carnal people, which it can answer no useful purpose to bring within the cognizance of childhood, and from which modesty should instinctively turn away,—these, I say, being our sentiments upon a question of much controversy, though differing from our view, you have been sufficiently just to make allowance for what you consider to be our mistake in this regard; and notwithstanding that in this country there prevails a very opposite opinion, although it has been made a point of Protestant honour, that without distinction of age, of sex, or circumstance, the sacred writings shall every where, and by every body, be indiscriminately perused, you have taken our conscientious difficulties into account, and have not insisted that against the will of Roman Catholic parents, their children shall be subjected to the compulsory acquisition of elementary knowledge through the medium of holy writ. That concession having been made, I own, that bearing in mind the incalculable importance of applying a remedy to the evils which result from the ignorance which is submitted to prevail in the factory districts, I felt that the measure proposed by her Majesty's Government ought not to be resisted on any light and trivial ground, that it ought not to be made the subject of a mere political or sectarian struggle, and that a perverse ingenuity in devising arguments against it, ought not to be indulged. I asked myself whether there was any real practical evil to be apprehended by those who are not in communion with the establishment, and I was anxious, if possible, that my own judgment should yield an acquiescence to the reasons which were urged in favour of the scheme propounded in its ameliorated form, by the right hon. Baronet. It is matter to me of unaffected regret, that after giving the plan the best consideration in my power, I have not been able to arrive at a conclusion favourable to the measure; for while I am aware that the professors of my religion are exempt from the necessity of receiving instruction, in the sacred writings in a form to which they object, I feel, in the first place, that an unnecessary and therefore illegitimate predominance was given to the Church, and that it was my duty to look to the Government plan, not merely with reference to the manner in which my own individual religion was affected, but to the general usefulness of the scheme, to its compatibility with the principles of religious liberty, the maintenance of which is as important as the diffusion of knowledge. Not only is the Board constituted in such a way as to deprive Dissenters, although a majority of the rate-payers, of their just share of influence, but the master of the school, by whom the Scriptures are to be taught, must be *ex necessitate* a member of the Church. Now, if it be right that Catholics should be exempted from the necessity of reading the Scriptures at all, is it just that Dissenters should be exempted from instruction through the medium of an episcopal delegate, in the Scriptures, of which the exposition is confided to him. The right hon. Baronet took a distinction between expounding and interpreting, but it is of a character so subtile that no ordinary casuist could have struck upon it. Not only is an ascendency given to the Church against which a not unnatural pride on the part of Dissenters revolts, but opportunities of proselytism, the more dangerous because the better disguised, are afforded. The more accomplished, the more skilful, the more zealous the churchman is, the more likely he will be to avail himself of the facilities with which he will be obviously supplied. Would the right hon. Baronet permit an adroit, persuasive Catholic to teach the Scriptures to a child in whose orthodoxy he felt a concern? I very much doubt it. He should, therefore excuse Dissenters for objecting to the influence with which men will be endowed in public schools, whose dogmas are almost as much at variance with those of Dissenters as the doctrines of the Church of Rome. Putting all considerations of the progress which has been made by the dogmas of men who, to the honour of Dr. Pusey, are designated by a reference to his name, there is so signal a difference between the opinions of Dissenters and those of genuine Churchmen upon the doctrine of succession and the power of the priesthood founded on the Scriptures, that if there were nothing else, it would afford a reason for objection. The Bishop of Exeter, who is not, I believe, as yet attached to the Oxonian school of Theology, has, in his charge, claimed prerogatives and powers as great as any to which the most absolute prelate of the ancient Church could put in his title. If even to the assumptions of that conspicuous Pontiff a Dissenter might reasonably object, the spread of Puseyism must awaken an *à fortiori* fear. It is notorious that although the external aspect of the Church remains superficially the same, it has undergone a great internal change. Men of distinguished talent, of exemplary lives, of great learning and piety, have from motives the best and purest, made an eloquent announcement of opinions, in more strict conformity with the tenets of the Catholic church than with the principles of the Reformation. Those opinions have been adopted by laymen highly born and bred, remarkable for their proficiency in literature, for the gracefulness of their minds, and their persuasive manners. The new, or rather the revived doctrines have made great way among the clergy, who have begun to display the zeal, the energy, the devotedness and enthusiasm by which the missionaries of that church to which they have approximated, are distinguished. As yet these tenets have perhaps made no considerable progress among the mass of the people, but for the people those tenets possess great allurements. If Protestantism, says Madame de Stael, appeals to the understanding, Catholicism addresses itself to the heart. How largely have the Puseyites borrowed from that portion of our religious system, which truth exalts, consoles, which raises us above the sphere of ordinary thinking, chases despair from anguish, restores to us "the loved, the lost, the distant and the dead," pours into minds the most deeply hurt the most healing balm, ministers to the loftiest hope, and awakens those imaginings, which to use the Miltonian phrase, "brings all heaven before our eyes." Aware of the attractiveness of our tenets, those who regard them as a delusion, not unnaturally conceive that against these allurements, more than ordinary caution is necessary, and tremble at the influence which may be exercised with so much facility at a period of life when the first and the most permanent impressions are confessedly made in the inculcation of doctrines for which they conceive that no scriptural sanction can be adduced. It may be said that their apprehensions are ill founded, and that care will be taken by the prime minister that no heterodox ecclesiastic shall be raised to the episcopal dignity; but, sir, we must bear in mind that proof is almost every day afforded us of the appositeness of Lord North's remark, that "the first thing a bishop does is to forget his maker." Witness Dr. Daly, who was named a bishop in Ireland the other day, and immediately after poured out an anathama against the Government scheme of education in Ireland. But even with regard to the prime minister's nomination, what security have the Dissenters got, beyond such intimations as a cheer affords? Among the supporters of the right hon. Baronet, are there not men distinguished by their talents, with more than a leaning to the new theology. Nay, was not Lord Morpeth himself sternly reproved on one remarkable occasion for railing at the Oxonian Professors, by a distinguished gentleman, who is favourable to freedom in trade, but a monopolist of truth? And if it be thought that I ought not to refer to an incident so remote, and before the hon. Gentleman was in office, let me be permitted to ask, whether not many nights ago, there were not remonstrances addressed to the Member for Kent of a very significant sort, by Gentlemen whom the cheering of the Prime Minister did not deter from a confession of their creed? The fact is, it is hard to know who is, or who is not a Puseyite. I have even heard it made a question whether the Representative of Oxford himself does not to a certain extent, and more especially on the eve of a dissolution sympathize with the divines, by whom so great and just an influence is enjoyed in the learned localities where their talents and their devotion are pre-eminently displayed. I have heard it said that he must have a most difficult card, which few but himself could play; for my part, I do not believe that he is a Protestant in one college, and a pseudo Catholic in another, I do not believe that he adopts any of those amenities for which a celebrated order in the Catholic church, distinguished by their genius and erudition, are supposed to have had recourse for the advancement of truth: my opinion is, that while he adheres to the principles of genuine Protestantism, he is forgiven on his canvass for the sake of certain associations with Popery which are irresistibly suggested by the hon. Baronet. But whatever may be the religious predilections of the representative of Oxford, of the inclinations of Oxford itself there can be little doubt. Can we wonder then that the Dissenters should object to a surrender of their schools to the Church, when the Church itself derives its own instruction from what Dissenters consider a contaminated source? It is from these considerations that the fears of the Dissenters originate, and to those considerations we must ascribe the extraordinary excitement which has been manifested through the country, and the enormous mass of petitions with which your Table has been loaded. The Church-rate agitation was not comparable in its fervour to that which we have lately witnessed. The Dissenters were far more disposed to give you up their money than their creed. Besides the payment of Church-rates is an abuse which the law has long sanctioned, which time has consecrated, and which if not venerable is at all events hoary: but in the present instance you propose an innovation against the liberty of conscience, and utterly at variance with the spirit of modern legislation. This is a relapse into intolerance. Before the repeal of the Test and Corporation Acts, it might have been reasonable enough—no it would never have been reasonable,—but it would have been consistent enough to have claimed this exclusiveness for the Church:—but now it is anomalous indeed. The Tory party resisted the repeal of the Test and Corporation Act as long as they could: at length in 1828 the right hon. Baronet at the head of her Majesty's Government gave way, and passed a measure which was the precursor of emancipation. Having passed that measure why does he upon a collateral question adhere to a policy wholly inconsistent with it? But on the part of the Home Secretary the incongruity is still more glaring. He was not driven into the repeal of the Test and Corporation Acts: he supported the noble Lord on his first introduction of the bill. You will tell me perhaps, that the Test and Corporation Act has nothing to do with this bill. I answer that the great principle on which it was founded, of removing every obstruction which religious differences had created, is in direct antagonism to the basis of your scheme, and that it is most absurd that Dissenters should be admissible to this House, to every office of dignity and of influence under the Crown, to the highest place in the Cabinet itself, and yet should be excluded from all influence in those schools which are to be sustained by rates raised from those very Dissenters; upon whom this most offensive disqualification is to be inflicted. The schools are local, are to be supported by a local rate and not a national fund—the district, not the state, is to be taxed for their maintenance; is it not monstrous, then, that in those localities where these Dissenters constitute a majority, they should be made the object of this wanton legislative affront—you don't pursue this course in Ireland—Why? Because the majority of the people are Catholic. But in the districts where local schools are to be supported with local imposts, the majority are in many instances Dissenters. The Church, therefore, cannot insist that in right of their general tutelage of the national mind, they are entitled to the control which is given them by this bill; and I am at a loss to discover what they conceive it will profit them to exercise a power so invidious as that which they are now seeking to obtain. What have they to dread from the imaginary influence of dissent in the schools which it is proposed to establish? Let them consider the bulwarks by which the Church, in reference to national instruction, is already sustained, and let them dismiss their fears of any evil effect which these schools can have on its stability. Is not Cambridge, is not Oxford theirs? In Durham have they not gained an university? Are not all the great seminaries in which the gentry of this aristocratic country are educated, in their keeping? Have they not a direct Masterdom over almost every place of public instruction, where the men, who are to will the destinies of England receive the elements of instruction? Do not a vast body of the middle classes draw their first intellectual nutriment from the bosom of the Church, and can you turn your eyes to any part of this great kingdom, in which you do not find the Church already exercising an influence over education, which it is impossible to distrust? With these vast advantages is not the Church contented, but must she needs, after having herself most reprehensibly neglected the education of the poor, when a measure is proposed to rescue the infant operative from the degradation and the depravity of ignorance, is she to come forward with her pretensions, and claim, as a matter of ecclesiastical prerogative, the instruction of the factory infants, on whom she never cast a thought away before? What has the Church to dread? Has she reason to tremble at the influence of dissent among the lower classes of the manufacturing population? If she is in the possession of the truth, wherefore does she not manifest the security which the consciousness of its possession should inspire? If she is built upon a rock, why should she dread that the gates of Gehenna shall prevail against her, and as she has retained so much of the old religion (the Americans call England the old country, you should call the Catholic, the old religion), as she has retained so much of its doctrines, and prefers the title of Anglo Catholic to any other designation, why does she not copy her great predecessor in that attribute, which a convert from your establishment, and one of the greatest ornaments of your literature so well ascribed to her?

" Without unspotted, innocent within,
" She feared no danger, for she knew no sin."

If there be any danger which she has cause to apprehend, it is that which must result from the hostility which she will produce among all classes of Dissenters by the unjust assumption of antiquity, who will beyond all question be arrayed against her, if she has the misfortune to succeed in her unjustifiable pretensions. She will embody and array together all those sects which have now no common bond of union, and even among the Wesleyans, who are supposed to adhere to her by some sort of ligament or other, she will produce an antipathy which it is most unwise to create. I have often heard the Wesleyan Methodists made the theme of conservative panegyric. The most distinguished tories, especially at the eve of a general election, have been lavish in their encomiums on this powerful body: what a mistake it is to enter into a quarrel with them upon what is a mere point of punctilio with the Church? Instead of trespassing upon their rights, why does not the Church follow their example, and become their honorable competitor in the work of education? If it be of importance that the lower orders should cling to the Church, has not the Church some better expedient for the retention of its adherents than the invasion of religious freedom? Monopolies in religion are like all other monopolies—they retard improvement. It will do no harm to put the Church upon the necessity of exertion, and teach her that instead of relying on any unjust predominance, she should resort to more legitimate endeavours to secure an honorable influence among the humbler classes of the people. It is by piety, by benevolence, by zeal, by meekness, and by humility, by the association in the primitive doctrine of primitive practice, that an influence most useful to the country and most honorable to the establishment will be extended. Let the Church herself with the opportunities, incalculably great, which her affluence affords her—let her prelates—be distinguished for munificence: let them look on the noble structures which the Bishops of the olden time have left as monuments of their pious disinterestedness through the length and width of all the land; let them in raising many a great moral edifice emulate that generous example: let her priests become the associates, the friends, the auxiliaries, the protectors, the consolers of the afflicted, the humble and the poor; let them not only by their persuasiveness, allure to brighter worlds, but let them by their example "lead the way." Let religion be recommended by the practice of the Church, and in the Christian assemblage of persuasive virtues let the Protestant Propaganda be found; but let not the Church from a sacerdotal passion for ascendancy, from a love of clerical predominance, thwart the great work of education, and incur the awful responsibility of becoming instrumental in the propagation of all the vices, which ignorance has spawned upon the country. At the conclusion of the very remarkable speech in which the Secretary for the Home Department introduced the measure which was so ably propounded by him, he called on us to "raise up our hearts," and to rise above all lowly prejudice in the achievement of a great moral purpose. It is to the Church itself that this "*sursum corda*," this invocation, taken from the antient ritual of Catholicism, should be addressed; he should adjure the body over which he exercises so great and natural an influence, and for which he has made great sacrifices, to ascend above every inferior consideration, and to regard the instruction of the people as paramount to every other object. The right hon. Baronet has again and again protested his strong anxiety to render his measure acceptable to the great mass of the community, and to introduce such modifications as should meet all just objections. I trust that his professions may be realized, and as he told us that he wonld send forth his bill in the hope that it would receive the public sanction and indicate that the "waters of strife had subsided," let me be permitted to hope that he will associate with that image another incident connected with the primeval history of mankind, and bear in mind that every colour was united in distinctness without predominance, that token of peace which God set in the cloud, as a covenant of his reconciliation with the world.

Mr. *M. Milnes* regretted that the present discussion had taken place, as he did not conceive that it was calculated to promote the object which they all ought to have in view. The right hon. Gentleman who last addressed the House had adopted a most unfounded and mistaken opinion as to the view taken by the Church of England on this subject. As an humble Member of that Church, he would say that the Church had no thought or notion of wishing to obtain power by supporting this or any other political measure. While the Dissenters had expressed their opinions so loudly, as to this measure, the opinion of the Church had been given passively, and passively only—and this was because the Church conceived that this was a measure with which it had no right to interfere. It was a measure brought forward as one of State policy, and only on this ground he supported it. He was sure that the only object of the Government in bringing forward this bill, and in giving power to the Church under it, was because the Government was convinced that that body alone could successfully work it out in consequence of the superior organisation of the Church. If this were not to be done what was the use of a Church establishment at all. He did not understand what the right hon. Gentleman meant by some peculiar and internal change in the structure of the Church of England. He really could not contemplate, in his imagination, what the right hon. Gentleman alluded to. All that could here be meant was, that there had been a revival in the energies of the Church of England, and that it had reestablished some of its ceremonies, and brought forward some of its doctrines, which had laid for some time, historically speaking, dormant. No doubt the new energies which had showu themselves in the Church, had been accompanied in their development with a certain degree of violence and exaggeration, which it could be wished had been avoided; but these temporary incidents could not affect the utility of the general result. There had been this internal change in the Church of England; a change such as Wesley and Whitfield would have been delighted to see. There had been an advance made by its members, not only in personal piety but in historical learning; a great advance also in many matters that involved great hopes and schemes of public good. This was the change, the only change which he could recognise in the Church establishment; and he was sure it was the only one which her Majesty's Government had in their contemplation when they framed the present measure. He must say that the way the present measure had been received throughout the country was, in his opinion, a subject for the profoundest sorrow. He could not say which party was in the right, the Churchmen or the Dissenters; but he did say that it was sad indeed, when they saw any Government, whether the present Government or their predecessors, coming forward with a scheme of great public utility, and meeting, instead of co-operation, the most pertinacious religious animosity. It was hard to say, if such a line of conduct were systematically to be pursued, whether it would not become necessary to adopt the measure of the hon. and learned Member for Bath, as the sole resource which was left them to mitigate the mental and moral destitution of the country. He only expressed his own opinion, but he did think that if public opinion remained so divided, and if both parties continued so obstinate, if the Dissenters would yield nothing towards the superior organization of the Church, and the Church would yield nothing to the peculiar sentiments of the Dissenters, he did not see that they could come to any other alternative but some such scheme as that proposed by the hon. Member for Bath. He called on Hon. Members on both sides, who saw this necessity before them, and saw in it a virtual abrogation of the national profession of Christianity, to come forward and unite in endeavouring to frame some scheme to avoid such an event. For his part, Churchman as he was, he would rather that the people should be educated in any creed of dissent, than that the factory children throughout the land should be left in their present state of mental destitution; and with this feeling he did earnestly call upon the House to avert from them the danger of perpetual darkness which now threatened them. The Members of her Majesty's Government had shown great willingness to hear anything that could be urged against this plan, and to concede to many things that might seem almost to savour of prejudice. There was every desire to meet the wishes of the great mass of the people throughout the country upon this important subject; and, therefore, he again adjured every Member of the House, except the very small minority who would vote with the hon. and learned Member for Bath on the present occasion, to avert from the country the mournful alternative which was now proposed to them, but which, as he had already said, he would rather accept than see a continuance of the total ignorance and mental depravity which prevailed throughout the factory districts of this country.

Mr. *Hawes*: as he could not give his vote in favour of the motion of the hon. and learned Member for Bath, wished to state shortly his views upon this subject. In the first place, he must confess that what had been said by the hon. Gentleman who had just sat down, and by the right hon. Baronet the Secretary for the Home Department, in reference to the conduct of the Dissenters on this subject, had a little surprised him. All that could be said of the Dissenters was, that they had refused to accept the particular plan which had been proposed by the right hon. Baronet. They had not been asked to propose any measure of their own, and because they had not offered any such, they were accused of intolerance and impracticability. On the subject of education, he maintained that the Dissenters were entitled to tolerance and equality. There were, undoubtedly, some matters in which the Church of England was, entitled to peculiar privileges, but, in the matter of education, Dissenters were entitled to perfect equality. The hon. and learned Member for Bath contended, that because of the difficulty of teaching peculiar religious opinions, without involving an increase of religious animosities, that the instruction of the public should be of a purely secular nature. He was not prepared to come to this conclusion. Whilst he admitted the first part of the premises, namely, the difficulties which would attach to any attempt to teach peculiar religious opinions, he still thought that the Bible ought to be the basis of any national system of education. He was glad to hear from the right hon. Baronet the Secretary for the Home Department a contradiction of the impression which had very generally prevailed, that the national system of education in Ireland had entirely failed. Upon this subject he would beg to refer to the report of the commission on schools in Ireland, published in 1812, which stated that they had,

> "Applied their best efforts to frame a system which would afford the opportunities of education to every description of the lower classes, keeping clear of any interference with the peculiar tenets of any particular sect, and induce them all to join as one undivided body in the same establishment."

He was glad to hear from the right hon. Baronet that this laudable project had not failed, whilst the reports showed that those who participated in the advantages which it offered were increasing. With this example before him, he would not give up the hope that some combined system of education might succeed in this country, and he was not prepared to yield to the hon. Gentleman who had just sat down, that amid the difficulties which surrounded the question of national education, there was no other resource but to adopt a scheme in which the course of instruction should be confined to purely secular subjects. He should refer, as an instance in point, to the British and Foreign School Society. There they had a combined system of education, of which the Bible was the basis; and he hoped that the time was come when the Church of England would take a more enlarged and liberal view of the subject in regard to this country. They saw that in Ireland the Protestant and the Catholic combined in the cause of education, and they were told that the system succeeded; and he could not see why in England a similar scheme might might not be adopted with similar results. But as the right hon. Baronet said, that the schoolmaster must be a member of the Church of England, he presumed that this was the determination of the whole Cabinet; and he (Mr. Hawes) believed that he spoke the sentiments of every Dissenter throughout the land, when he said that they could not accept this proposition as a measure of conciliation, or as one likely to carry out the scheme of national education on any principle of liberality or public utility. On the other hand, with regard to the motion of the hon. and learned Member for Bath, he would venture to say, that throughout the wide extent of the country, no system of education could be acceptable to the great body of the Dissenters, which excluded the Bible from its course of study; and he for one hoped he should never see any system adopted which attempted to exclude from the pupil a free and entire access to the truths of Holy Writ. [*Cheers.*] He knew the meaning of that cheer. It was implied that the Dissenters were already provided with pastors and instructors on the subject of religion. He admitted the merit and the industry of those reverend pastors in their several occupations; but he knew also the importance of early impressions and trains of thought on such subjects, and he thought that if the Bible were excluded from the ordinary course of education and left only to a collateral share in the instruction of the people, they would not have that security of a scriptural basis for their education, which he for one wished to see. He looked upon the Bible as the best foundation, not only of religious but of civil liberty, and he appealed to all the momentous struggles in the cause of constitutional freedom in this country, where the Bible had always been the basis and the text-book of our greatest patriots. He did not wish to anticipate the discussion which might take place on this important subject. He feared, from the tone and temper of the public mind, which had, he thought, been somewhat justly excited by the speech of the right hon. Baronet, that there would be much difficulty in bringing it to a calm and satisfactory issue. He agreed with the hon. and learned Member for Bath that, in matters of education, there should be a strict equality. Education implied equality and they could not do justice to that proposition without giving the pauper the means of education, and of an education such as he could accept; and, therefore, he, on behalf of the poor man, would not waive a single claim which he could have on the community for the means of education.

Sir *R. H. Inglis* said he could not shrink from the challenge cast at him by the right hon. Member for Dungarvon [Mr. Sheil.] Whatever other faults might be attributed to him (Sir R. H. Inglis), at least it could not be said that he had ever shrunk from an open declaration of his opinion, or from his openly recording his vote, whenever any question came legitimately before him in that House. But whilst he was always prepared to do this, he would resist any attempt to interrogate him as to his private opinions upon religious subjects. The right hon. Member for Dungarvon himself, he dare say, would not allow him (Sir R. H. Inglis) to ask him what was his opinion in respect to the dispute between the Jansenists and the Jesuits, or that other dispute between the Franciscans and Dominicans, in respect to which the church of Rome to this day never pronounced an opinion. He (Sir R. H. Inglis) claimed for himself the selfsame right to hold his own opinions upon matters of religion without interrogations from the right hon. Member or others in that House. The right hon. Member could not accuse him of having wavered in his opinions as to the impolicy of admitting persons holding the religious tenets of the right hon. Gentleman within the walls of that House. He gloried in the name of Protestant, and that was the only answer he could give to any catechetical address the right hon. Gentleman might put to him. Having now been called upon his legs, he would state in few sentences his opinions upon the subject of national education. He thought that nothing could be worthy the name of education which did not bring out the higher qualities of man, and promote his eternal destinies; and he did not see how this could be done without some definite form of instruction on the subject of religion. To supply this sort of education he thought the Church of England was best adapted, whilst she was also constitutionally and historically entitled to claim this high authority and privilege, of instructing the people of this country, not only in what would make them good subjects here, but also in what rested their hopes hereafter. Stripped and spoiled as the church had been in the lapse of time, still she was complete in her organization, and would be prepared to meet the exigencies of the present case, if the state would give back to her the means which it had taken from her centuries ago. If the state would give up to the church such means as the education of the people would require, he believed that the church would prove itself the best medium of conveying throughout the land the advantages of education. He could hardly believe it possible that the House, which had received with such enthusiasm the address of the noble Lord the Member for Dorsetshire, describing the state of almost heathenism which existed in the northern districts of the country, would now refuse the means of giving vitality to the philanthropic views propounded by the noble Lord, in the form of a proportionate grant of public money. He should observe that it was quite as easy to carry out the proposed system of christian education, as that now proposed by the hon. and learned Member for Bath. He would entreat the House not to suffer the speech of his noble Friend, made two months ago, to pass from their recollection. Had a vote been proposed at the conclusion of the speech, the House could not have resisted an appeal so made and so sustained. But he would go further and say that, if the right hon. Baronet had proposed a grant of the public money for the purpose, he might have obtained it without difficulty. Of this he was quite sure, that, if the right hon. Baronet had proposed a grant for the purpose of carrying out a system of church education, he would have obtained to such a proposition quite as much support from his own side of the House, while he would have excited no more opposition from the other side than he had already experienced to his mitigated plan of church extension, which had occasioned so much horror in the minds of hon. Members opposite. He believed the hon. and learned Member did not intend to divide upon his resolution. [Mr. *Roebuck:* "Yes I do."] Then he should give to that resolution his most cordial opposition.

Mr. *Ewart* thought, although he should vote for the motion, that the course adopted by the hon. and learned Member for Bath was not the most judicious that could have been adopted. He objected to the phraseology of the right hon. Baronet opposite (Sir J. Graham), which was not such as was likely to conciliate the dissenters and dispose them favourably towards his measure. The founder of the Wesleyans had been alluded to, but he knew that that body would be the last persons to agree to the right hon. Baronet's bill. The schism at present existing in the Church of England had awakened a feeling of distrust on the part of the Wesleyans towards the establishment, which it would be impossible to allay. He would not, however, enter into the question of the educational clauses; the time for that would be when the right hon. Baronet brought on his amended bill. The dissenters would maintain the position which they held; it was a defensive, not an offensive one, against the aggressive principle of the Government education scheme.

Mr. *Roebuck* objected in reply to the

language of the right hon. Gentleman opposite. That right hon. Gentleman had stated that he (Mr. Roebuck) proposed to exclude all religious education from the national schools. Now, he had taken care to guard himself most pointedly from any such imputation. What he had said, and what he would still say, was, that so far as the state was concerned it might prepare the youthful mind for the reception of peculiar religious views, which should be taught by the pastors of the sect to which the child belonged. He wished for no sectarian teaching in schools. He would not be a party to making the school-room a scene of the domination of one sect over another, or an area in which to struggle for religious supremacy. The hon. Baronet the Member for Oxford had talked of his consistency. Yes, the hon. Member was consistent. He began as an opponent of religious liberty, and he would die as he had lived. He had boldly proclaimed that he would maintain the domination of the church, the spirit of which he so fairly represented. The right hon. Baronet opposite, too, had uttered sentiments which would seal the fate of his bill. There was now no mistake in the matter. It was sought to establish the domination of the established church in the schools which were to be paid for by all. He did not mean, as the hon. Member for Lambeth seemed to suppose, to exclude the Bible from schools. He might as well say that he intended to exclude any other book. Those who taught in the national schools would teach in accordance with the general opinion and sentiments of the community. He contended that they must not infringe upon the right of the father to judge for himself and his children. If they did so, they would be breaking down the first principle of Protestantism, that of the recognition of the right of private judgment. He would adhere strictly to his resolution, warning the right hon. Baronet opposite that if he persisted in his bill he would rouse a fearful feeling of opposition to the Church, a feeling which was already sufficiently manifested against the supremacy given her by the Government scheme of education, and which was in great part owing to her Puseyite tendencies. He warned them to be wise in time—to be prepared to admit equality in the school-room, whatever they might do in the church, and to say we will commence, not by sowing discord, but by instilling into the people feelings of friendship and good-will towards one another, by excluding from schools the great cause of national discord and heart-burnings.

Lord *John Russell* said, that as his hon. Friend's explanation [Mr. *Hawes* had said a few words which the House would not attend to.] had not been fully heard, he was anxious to say a few words in explanation of the vote he meant to give—that though there was nothing in the words of the motion before the House to show that peculiar religious opinions meant more than differences between various denominations of Christians, yet as the hon. and learned Member had intended to move this resolution as an amendment upon the third, fourth, and fifth of those of which he had given notice, the first of which three stated, that the Holy Scriptures ought to be read in schools, it became impossible not to conclude, that though according to the hon. and learned Gentleman's speech extracts might be allowed to be read from the strictly historical parts of the Old and New Testament, yet that in fact the motion before the House went to prevent the Bible from being read as a school-book.

The House divided:—Ayes 60; Noes 156; Majority 96.

List of the Ayes.

Archbold, R.
Barnard, E. G.
Blewett, R. J.
Bowring, Dr.
Brocklehurst, J.
Brotherton, J.
Browne, hon. W.
Busfeild, W.
Chapman, B.
Colborne, hn. W.N.R.
Collett, J.
Collins, W.
Crawford, W. S.
Dennistoun, J.
D'Eyncourt, rt.hn.C.T
Divett, E.
Drax, J. S. W. S. E.
Duncan, G.
Duncombe, T.
Ewart, W.
Fielden, J.
Forster, M.
Gibson, T. M.
Gill, T.
Gisborne, T.
Hallyburton, Ld. J. F.
Hay, Sir A. L.
Heatheoat, J.
Heron, Sir R.
Hill, Lord M.
Hindley, C.
Hutt, W.
James, W.
Jervis, J.
Marsland, H.
Mitcalfe, H.
Morris, D.
Napier, Sir C.
Norreys, Sir D. J.
O'Brien, J.
O'Connell, M. J.
Pechell, Capt.
Philips, M.
Plumridge, Capt.
Pulsford, R.
Ricardo, J. L.
Ross, D. R.
Russell, Lord E.
Scott, R.
Sheil, rt. hon. R. L.
Strickland, Sir G.
Tancred, H. W.
Thorneley, T.
Trelawny, J. S.
Villiers, hon. C.
Wall, C. B.
Wawn, J. T.
Wemyss, Capt.

Williams, W.
Wood, B.

TELLERS.
Roebuck, J. A.
Hume, J.

List of the NOES.

Ackers, J.
Acland, Sir T. D.
Acland, T. D.
Acton, Col.
Adare, Visct.
Allix, J. P.
Antrobus, E.
Ashley, Lord
Bagot, hon. W.
Baillie, Col.
Bankes, G.
Baring, hon. W. B.
Barrington, Visct.
Baskerville, T. B. M.
Bateson, R.
Bell, M.
Bentinck, Lord G.
Blackburn, J. I.
Boldero, H. G.
Borthwick, P.
Broadley, H.
Bruce, Lord E.
Bruce, C. L. C.
Cardwell, E.
Chelsea, Visct.
Chetwode, Sir J.
Cholmondeley, hn. H.
Christopher, R. A.
Clayton, R. R.
Clive, Visct.
Clive, hon. hn. R. H.
Colquhoun, J. C.
Colvile, C. R.
Corry, rt. hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Cresswell, B.
Cripps, W.
Darby, G.
Denison, E. B.
Dickinson, F. H.
Dodd, G.
Douglas, Sir H.
Douglas, J. D. S.
Drummond, H. H.
Duffield, T.
Ebrington, Visct.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Evans, W.
Fellowes, E.
Ferrand, W. B.
Flower, Sir J.
Ffolliott, J.
Forbes, W.
Gladstone, rt. hn. W. E.
Gladstone, Capt.
Gordon, hon. Capt.
Goring, C.
Graham, rt. hon Sir J.
Greene, T.
Grey, rt. hon. Sir G.
Grimston, Visct.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Hardinge, rt. hn. Sir H.
Hawes, B.
Hayes, Sir E.
Heneage, G. H. W.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hope, hon. C.
Hope, A.
Hope, G. W.
Howard, Lord
Ingestre, Visct.
Inglis, Sir R. H.
James, Sir W. C.
Jermyn, Earl
Johnstone, Sir J.
Jones, Capt.
Kemble, H.
Knatchbull, rt. hn. Sir E.
Knight, H. G.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Legh, G. C.
Leslie, C. P.
Leveson, Lord
Liddell, hon. H. T.
Lincoln, Earl of
Lockhart, W.
Lowther, J. H.
Lowther, hon. Col.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
McGeachy, F. A.
Mahon, Visct.
Mainwaring, T.
Manners, Lord C. S.
Manners, Lord J.
Master, T. W. C.
Masterman, J.
Maxwell, hon. J. P.
Meynell, Capt.
Miles, W.
Milnes, R. M.
Mundy, E. M.
Neville, R.
Newport, Visct.
O'Brien, A. S.
Pakington, J. S.
Palmer, R.
Peel, rt. hon. Sir R.
Peel, J.
Pennant, hon. Col.
Plumptre, J. P.
Pollock, Sir F.
Ponsonby, hon. C. F.
Pringle, A.
Rashleigh, W.
Rendlesham, Lord
Rushbrooke, Col.
Russell, Lord J.
Sandon, Visct.
Sheppard, T.
Sibthorp, Col.
Smith, rt. hon. T. B. C.
Somerset, Lord G.
Sotheron, T. H. S.
Stanton, W. H.
Stuart, H.
Sutton, hon. H. M.
Talbot, C. R. M.
Tomline, G.
Trench, Sir F. W.
Trevor, hon. G. R.
Trollope, Sir J.
Turnor, C.
Tyrell, Sir J. T.
Vesey, hon. T.
Vivian, J. E.
Waddington, H. S.
Walsh, Sir J. B.
Welby, G. E.
Wilde, Sir T.
Wood, Col. T.
Young, J.

TELLERS.
Freemantle, Sir T.
Nicholl, rt. hon. J.

OCCUPATION OF TAHITI.] Sir *G. Grey* rose to move for certain papers respecting the French occupation of Tahiti. He understood that his motion would not be opposed, and the papers it related to went only to show what were the recent proceedings of the French government, and what was more important, to calm the feelings of just apprehension entertained by many in this country for the fate of the British missionaries on the island. It would not be necessary for him to trouble the House at any length, but he could not move for these papers without bearing his testimony to the invaluable labours of these estimable men, who for fifty years had been labouring for the promotion of Christianity. These men had been supported by the voluntary contributions of Christians in this country, who took a deep interest in their welfare, and who looked with considerable apprehension to the establishment of French sovereignty in Tahiti. He trusted these apprehensions were without foundation, but he thought it material they should bear in mind the changes which had been effected by these missionaries. The following was the testimony of Admiral Duperrè, who visited the island in 1819, and said, in a letter addressed to the then Minister of Marine:—

> "The state of the island of Tahiti is now very different from what it was in the days of Cook. The missionaries of the society of London have entirely changed the manners and customs of the inhabitants. Idolatry exists no longer; they profess generally the Christian religion; the women no longer come on board the vessels, and they are very reserved on all occasions. Their marriages are celebrated in the same manner as in Europe, and the King confines himself to one wife.

The women are also admitted to the table with their husbands. The infamous society of the Arreois exists no longer; the bloody wars in which the people engaged, and human sacrifices, have entirely ceased since 1816. All the natives can read and write, and have religious books translated into their language printed either at Tahiti, Ulitea, or Eimco. They have built handsome churches, where they repair twice in the week, and show the greatest attention to the discourses of the preacher. It is common to see numerous individuals take notes of the most interesting passages of the sermons they hear. The subjects of Queen Pomare have been already initiated in the rudiments of European civilization. The English missionaries have instructed them in the dogmas of Christianity, and have given them some notion of our arts and our laws. Their garments are like ours; reading and writing are in common use amongst them, and the children are brought up in schools on the Lancasterian plan. They possess a code which guarantees the rights of individuals, as well as of property, and which establishes trial by jury. The people have only required twenty years to become the most enlightened of the Polynesian populations."

He could, in addition, state one fact, which was most honourable to those men, and that was, that they did not possess a foot of land. They looked to moral and social advantages alone. He hoped that the professions recently announced by a distinguished member of the French government—and he had no doubt sincerely entertained—would be faithfully acted upon; but he confessed he thought it was to our own Government the missionaries had to look, and he trusted that the Government would not be found inattentive to their protection. The right hon. Baronet concluded by moving an address for,

"Copies or Extracts of a Letter addressed in 1827 by Pomare, Chief of Tahiti, to King George 4th, and of Mr. Canning's reply thereto."

"Copies or Extracts of any Correspondence which may have taken place between her Majesty's Consul at Tahiti, and her Majesty's Government since 1835, relative to the proceedings of the French in Tahiti."

"Copies or Extracts of any Correspondence which may have taken place between her Majesty's Ambassador at Paris and her Majesty's Government, or the French Government, relative to the recent proceedings of the French in Tahiti."

Lord *Ashley* seconded the motion, and cordially concurred in the praises which his right hon. Friend had bestowed on the missionaries. They had achieved, he thought, the greatest miracle of modern times.

Mr. *Hindley* expressed a hope that the French might not be allowed to take possession of all the islands.

Sir *R. Peel* was ready, on the part of the Government, to confirm by his testimony all the praise which had been given to the missionaries. Their exertions had been very great, and very meritorious. The Government, he could say, had not neglected the opportunity of obtaining from the French government assurances of its intentions, and they were obtained in writing, so that they might be placed on the records of their country. They were to this effect,

"The French Government remains faithful to the three great principles it has ever professed and upheld; first, to afford perfect liberty of worship; secondly, to give all the protection that is due to the subjects of a friendly power; and, lastly, to favour the labours of all those bodies who are extending the benefits of Christianity."

It was a great advantage to have obtained those official declarations from the French government, which enabled him to lay before the British Parliament, in an official form, the solemn assurances which had been received by her Majesty's Government from the government of France.

Viscount *Palmerston* said the circumstances of the case required that a clear understanding should be come to with the French government. The differences between that government and the Queen of Tahiti begun by a difference between the missionaries of the two religions. The French sent Catholic missionaries to Tahiti, which missionaries were expelled from Tahiti by the native government. The French government thought that the banishment was caused by our missionaries, and the difference arose between the French and the native government in consequence of the differences between the missionaries. He thought, therefore, it would be right to procure a pledge from the French government that the Protestant ministers should not be disturbed.

Address agreed to.

House adjourned at a quarter before one o'clock.

HOUSE OF LORDS,

Friday, May 19, 1843.

MINUTES.] BILLS. *Public*—1ª· Queen's Bench Prison. *Private.*—1ª· Gordon's Estate; Bethnal-green Improvement; Clarence Railway; Thames Lastage and Ballastage; Portsea Improvement; Bristol and Gloucester Railway: Glasgow and Three-Mile-House Road; Cliffe-cum-Lund Inclosure.

2ª. Glasgow, Paisley, and Greenock Railway; Merthyr Tydvil Stipendiary Magistrate.

Reported.—Watson's Divorce; Townsend Peerage; Faversham Navigation.

Petitions Presented. By the Marquess of Downshire, from Belfast, against the Drawback on Seamen's Wages.—By Earl Stanhope, from Wallingford, and Rutlandshire, against the Canada Corn Bill.—By the Marquess of Downshire, from Belfast, against the Repeal of the Union.—From Stamford, against the Bankruptcy Act.—From Oldham, against the Truck System.

Repeal of the Union.] The Marquess of *Downshire* rose, he said, to present a petition on a subject of very great importance. It was one that referred to that important portion of her Majerty's dominions—Ireland; and he only trusted, that the importance of the subject, and the respectability of the petitioners, would supply any want of ability on his part. The petition was from the Belfast Reform Society. The petitioners deprecated the agitation of the Repeal of the Union. This petition, he observed, was signed by 4,000 persons, and included different classes of society. These persons looked with great regret upon the agitation that was now taking place in Ireland; because it impeded the prosperity of the country, whilst it destroyed confidence, and interfered with the security of the country; for, as it had been well observed by a noble aed learned Friend of his opposite (Lord Brougham), how could it be hoped that the capital of England would be transferred to Ireland unless there was security for life and property? All that he asked, as a landed proprietor, was, that property might be protected, and that they (the landlords) might be permitted to exercise their judgment in the management of their property, and in such a way as they might consider would best conduce to the interests of themselves and the occupiers of their land. For several years, a great portion of the landed proprietors had evinced great zeal in the improvement of their property; and he was sure beneficial consequences must follow if it were not for the agitation that had been excited on the subject of a repeal of the union. He regretted exceedingly the part that had been taken on this subject by the Roman Catholic hierarchy and Roman Catholic clergy. Their Lordships were aware that there had been meetings with respect to this topic in the southern parts of Ireland, especially at Mullingar, where Dr. Higgins, one of the Roman Catholic prelates, had attended, and where he was reported to have said that he disclaimed all participation with the landed proprietors of Ireland. The words he took from the newspaper, and he was not to be considered for them responsible, more than Dr. Higgins; but the words were these:—

> "To no aristocracy on earth do I owe any thing, save the unbounded contempt that I feel for the whole class."

Now, he must say, on the part of the aristocracy, that for those who had been anxious to relieve the Roman Catholics from their disabilities, this was a very poor return on the part of the prelates of that church. He thought, that if the Roman Catholic aristocracy—and he spoke of them with respect—were to come forward and disclaim expressions such as these, he thought that, if they were to do so, the people of Ireland would feel the advantage of it, and even Dr. Higgins himself, who might have been carried away by the feelings of the moment, and given expression to an opinion which he really did not entertain. At least he hoped, that in the present state of the population, he was sure that if the peasantry of Ireland were left to themselves, they would not be found disposed towards violence. On the contrary, the peasantry were disposed to respect their superiors, and to support their landlords, and all those whom they conscientiously considered as their natural protectors, and as he was sure they were, their benefactors also. He could not but declare the satisfaction that he felt in the manner the noble Duke behind him (the Duke of Wellington) had expressed himself on this subject—so strongly, and so like himself. He had no doubt, but the declaration of the noble Duke, as well as that of the Minister of the Crown in another place, must do in Ireland a great deal of service. He was sure that the holding of the same language, and presenting a determined front, to all who had in view disloyal and disaffected objects—he was sure that their doing this would be the best means to induce the people of Ireland to return to their allegiance, if it had been at all diminished by what had taken place. Such declarations might be the means of making such persons become loyal subjects and good members of society.

Lord *Beaumont* had not intended to have said a word on this subject; but he felt himself now under the necessity of foregoing that intention, in consequence of the expressions which had fallen from his noble Friend, the noble Marquess. It was, however, still with reluctance that he rose on this occasion, and he should certainly have reserved the expression of his opinion till a more fitting opportunity, if the noble Marquess had not distinctly expressed a wish that some member of the Roman Catholic body should openly disavow the sentiments and principles advocated and put forth by Dr. Higgins at Mullinghar. He, therefore, rose in his place in that House, as a member of the body that had been referred to, and on his own individual responsibility, distictly and unequivocally declared that he could not conceive more disgraceful sentiments, or language less becoming the lips of a prelate than those which had fallen from that reverend person on the occasion alluded to. He would go still further, and he unhesitatingly declared, that if the conduct of the Roman Catholic priesthood was such as Dr. Higgins stated it to be, it was not only disgraceful in them as the ministers of peace, but was more injurious to the religion of which they were the priesthood than the persecutions of ancient times had ever been. It was no part of their duty to act—nay, much more than this—it was not only no part of their duty to act in the manner they were now doing, but it was positively their duty to do the very contrary and prevent others from doing that which they themselves were now doing. They were ministers of peace and they ought to support that alone which would maintain the peace of the empire. By lending their assistance to an agitation which was sowing those seeds which were sure to spring up in blood and war, they were acting contrary to the object of their vows, and in opposition to the purposes for which they had been ordained by their superiors. Not only as Members of the British empire, but as Irishmen they ought to deplore an agitation which would be alike injurious to the particular interests of Ireland as to the general welfare of the nation, and would bring odium on the very church of which they were the ministers. He did, however, hope and trust that what had now fallen in Parliament from persons of all parties would have the effect of calming the public mind, and of putting a stop to the present state of agitation, but if unfortunately it did not do so, and if it became absolutely necessary to take stronger measures, he would say, for one, and he believed many of his co-religionists agreed with him, that he would have no hesitation in supporting the Government in carrying such measures as they then might think it their duty to propose in order to restore tranquility. This question had been called a religious question—that he positively denied—it was a question between peace, justice, religion and public order on one side, and anarchy, spoliation and bloodshed on the other. As to the characters of the agitation, he believed there was a unanimity of opinion in that House, and this he would say, before he sat down, if it is necessary to propose further measures to maintain the Union, he would give his support to those measures with as much cordiality as he ever gave a vote in his life.

The Earl of *Kenmare* expressed his entire concurrence in what had fallen from the noble Lord. He also expressed his regret as to what had fallen from Dr. Higgins.

Petition laid on the Table.

House adjourned.

HOUSE OF COMMONS,

Friday, May 19, 1843.

MINUTES.] BILLS. *Public.*—2°. Fines and Penalties (Ireland); Copyhold and Customary Tenure.

Private.—1°. Londonderry Bridge; Hawkins's Estate.

Reported.—Haddenham Inclosure; Belfast Harbour; Southampton Cemetery; Bannbridge Roads (No. 2); Millbank Prison.

3°. and passed: Bethnal-green Improvement; Walton-on-the-Hill Rectory; Forth Navigation.

PETITIONS PRESENTED. By Mr. Strutt, and Mr. Ord, from six places, for Post Office Reform, and the Carrying out of Rowland Hill's Plan.—By the Earl of March, Mr. Cartwright, Mr. R. Palmer, Mr. Acland, and Mr. W. Heathcote, and Sir J. Trollope, Lord Charles Manners, and Lord Alford, from a number of places, against the Canada Corn Bill.—By Lord Dalmeny, Captain Berkeley, Colonel Gore Langton, Colonel Rushbrooke, Dr. Bowring, General Johnson, Sir W. Clay, and Messrs. Hume, Ewart, Gisborne, Duncan, T. Duncombe, R. Yorke, Bowes, Tancred, Marsland, Ord, and Hindley, from a great number of places, against, the Factories Bill; and by Lord Henniker, and Mr. G. Baker, from Weymouth, and Suffolk, in favour of the Same.—From Huddersfield, for further Limiting the Hours of Labour.—By Mr. Marsland, from Stockport, Bedford, etc., against the Turnpike Roads Bill.—By Messrs. Bowes, Brotherton, and Hume, from a great number of places, for the Total and Immediate Repeal of the Corn-laws.—By Messrs. Forster, and Trelawney, from Berwick-upon-Tweed, for Reforming the Merchant Seamen's Fund.—By Viscount Bernard, and Mr. E. Tennent from Belfast, and Cork, against, and by Sir H. Barron, from Waterford, for, the Repeal of the Legislative Union.—By Captain Polhill, from Keswick, against the Turnpike Roads Bill.—By Mr. Muntz, from one Richard Gathorne Butt, for relief from Unjust Imprisonment.—By Sir D. Norreys, from Belfast, Limerick, and other places, for Amending the Irish Poor-law.—From Glastonbury, and Yeovil, against the Union of the Sees of St. Asaph and Bangor.—From the Diocese of Clogher, for Amending the Tithe Composition, and Poor Relief (Ireland) Acts.—From Radnor and Presteign, for the Repeal of the Income Tax.—From Thomas Lott, for Amending the Law of Debtor and Creditor.—From Shrewsbury, and East Retford, for Amending the Bankruptcy Act.—From Waterford, against the Irish Corporations Act.—From Skipton, and Durham, in favour of the Waste Lands Allotment System.—From Roseneath, for settling the Scotch Question.—From St. Leonard's Shoreditch, against the Metropolitan Buildings Bill.—From William Beeston, for Inquiry into the Army Accounts.—From Dublin Pawnbrokers, for Compensation.—From Burpham, for the Repeal of the Malt-tax.—From Docking for rating the Owners of Small Tenements instead of the Occupiers.—From Grand Jury of County of Donegal, for Inquiry into Conduct of Poor-law Commissioners.

THE GATES OF SOMNAUTH.] Mr. *W. D. Stanley* said, that presuming that the gates of Somnauth were of no great use in India, and that they could not well be employed to adorn the temple to which they had originally belonged, he wished to know if the right hon. Baronet at the head of the Government had any objections to their being brought home and deposited in the British Museum.

Sir *Robert Peel* said, that knowing the interest which the hon. Gentleman had taken in the subject, he was not at all surprised at his anxiety to procure for the public these valuable relics. The hon. Gentleman would, however, understand that the people of India might have similar notions to those which he himself possessed, and might feel great pride and satisfaction at possessing the memorials in question. He would, however, give the hon. Member all the information which he himself possessed upon the subject of the gates. It was contained in an official letter of Lord Ellenborough's, and although it was not usual to submit such documents to the House, he would read that part of it referring to the matter in hand. The right hon. Baronet then proceeded to read the letter. It stated that it was satisfactory that no other feeling than that of gratitude to the Government, for having restored the gates, prevailed among the inhabitants of Hindostan. No religious feelings had been excited by the removal, upon the part of the Mussulmen; but that, on the contrary, the general feeling was that a triumph had been achieved. The gates had not been carried further than Agra, owing to the advanced period of the season, and there they would remain for the present. The right hon. Baronet continued: he hoped that the hon. Gentleman would permit the gates to remain where they are, and the more particularly inasmuch as they were regarded with great interest and admiration by the people of Hindostan.

POOR-LAWS.] Mr. *Borthwick* wished to repeat the question which he had put about a fortnight ago, with reference to the Poor-laws—namely, whether Government had determined as to the time at which the right hon. Baronet the Secretary of State for the Home Department, would be able to submit to the House those amendments which he intended to introduced into the Poor-law.

Sir *James Graham* said, that in answer to the question of the hon. Gentleman, he must repeat the answer which he had given to a similar question upon a former occasion. It was his intention to bring in a bill for the amendment of the Poor-laws, but he was not prepared to say at what time he should be able to introduce it, nor could he give any information as to its provisions.

USING THE NAME OF THE SOVEREIGN.] Mr. *Blewitt* rose pursuant to notice, to "call the attention of the House to the irregular manner in which certain royal declarations or messages relating to Ireland were lately communicated to this House by the right hon. Baronet at the head of her Majesty's Government, and to take the opinion of Mr. Speaker and the House thereon." If a due observance of the rules and regulations of this House had any value in the estimation of hon. Members, they would not be disposed to find fault with him for bringing under their notice a very great irregularity on the part of the right hon. Baronet at the head of the Government. He wished to call the serious attention of the House to the subject.

The *Speaker*, interrupting the hon. Member, said, the hon. Member had a right to put a question, but not to make a speech when there was no motion before the House.

Mr. *Blewitt:* If he put a question he must first explain what he had to complain of, and he could not do that unless he was allowed to state the circumstances. [" *Order, order,*" *and Laughter.*] He was sure that he had given no offence to any hon. Members on either side of the House, therefore he did not think he had fair play. [*Cries of* "*Order.*"] Well, then, he wished to know whether he were at liberty to explain the subject upon which he wished to put his question.

The *Speaker:* The hon. Member had undoubtedly a right to give such explanation as might make his question intelligible to the House.

Mr. *Blewitt:* On the 10th of May last, the noble Lord the Member for Lynn

Regis, had put a question to the right hon. Baronet at the head of the Government, as to whether Government was aware that terrible excitement prevailed in Ireland, and whether they were prepared to take measures with a view to its suppression. The right hon. Baronet might have given to that question the species of answer which he was so fond of giving to Gentlemen on his side of the House. He might have given one of those replies which communicated nothing; and which were so gratifying from their facetiousness to hon. Members near the right hon. Baronet. Well, the right hon. Baronet, in answer to the question, mixed up with his reply the name of her Majesty, in a manner in which he (Mr. Blewitt) considered the right hon. Baronet was not entitled to use it by the rules of the House; and he had the right hon. Baronet's own authority for so stating. In a debate upon the Reform Bill, in the year 1831, the right hon. Baronet had alluded to a declaration of a noble Lord connected with the then Ministry, to the effect that the King approved of the bill then in the course of discussion. The right hon. Baronet said:—

> "He would ask why the name of the King should be introduced into this discussion? When a measure like this was introduced, to which it was to be presumed that the King's consent had been given—when that fact was not called in question—was it necessary, day after day, to state, both in the House and through the public press, that the measure possessed the approbation of his Majesty? But he regretted that such a course had been pursued upon other grounds. He would not then discuss the merits of the main question, but it was a measure of great harshness towards incorporated bodies, who had often proved their loyalty, to call upon them to sacrifice the privileges which they possessed, and why—he would ask them—why needlessly hold out to these bodies the consideration that the King approved of the plan by which their privileges were to be abolished? Such conduct, he thought, showed that the Ministry shrunk from their proper share of the responsibility and odium of the measure. Such conduct was neither proper nor decent."

If it was not decent then upon the part of the noble Lord alluded to, to endeavour to transfer to the Sovereign the odium and suspicion of disfranchisement, how much more unbecoming was it on the part of the right hon. Baronet to attempt to transfer to her Majesty the odium of the threats which he had uttered against the Irish people. [*Loud Cries of "Order, order."*]

The *Speaker*: The hon. Member must be aware that in making such observations he was himself quite out of order.

Mr. *Blewitt* submitted to the Chair. He wished to ask the Speaker and the House whether the conduct of the right hon. Baronet opposite, in mixing up unnecessarily and gratuitously the name of the Sovereign with his answer to a question put to him, was or was not irregular, and whether it was or was not consistent with the practice and usages of the House.

The *Speaker*: The hon. Member himself was irregular in the course he had pursued, in referring to words spoken in debate on a former evening. If the hon. Member was of opinion that anything said by the right hon. Baronet the First Lord of the Treasury was irregular, he ought to have taken exception to it at the time, and not allowed many days to elapse before calling the attention of the House to it. His opinion was, that there was nothing inconsistent with the practice of the House in using the name of the Sovereign in the manner in which the right hon. Baronet had used it. It was quite true that it would be highly out of order to use the name of the Sovereign in that House so as to endeavour to influence its decision, or that of any of its Members, upon any question under its consideration; but he apprehended that no expression which had fallen from the right hon. Gentleman could be supposed to bear such a construction.

Sir *R. Peel* said, that he had merely stated that the late King had declared that he would maintain, with the utmost power of the Sovereign, the connection between the two countries. He had stated also, that her Majesty approved of, and would abide by that resolution; but with respect to any special announcement upon the part of her Majesty he had never dared to make any.

Lord *John Russell* said, that what the right hon. Baronet meant with respect to the royal declaration relative to the repeal of the union was, that the declaration of the Sovereign was made by the right hon. Baronet's advice, because any personal act or declaration of the Sovereign ought not to be introduced into that place. With respect to the repeal of the Union, the subject was open to amendment or question, like any other act of the Legislature.

Sir *Robert Peel* had merely confirmed, on the part of her Majesty, by the advice of the Government, the declaration made by the former Sovereign.

Mr. *Morgan J. O'Connell* observed, that the declaration made by the late King was made in a perfectly constitutional shape, in answer to an address of the House, or by means of a message brought down to Parliament, and not in the shape in which the late announcement had been made—an announcement which, under all the circumstances of the case, coming from a Minister of the Crown in his place in Parliament, he considered as being not merely irregular, but more than ordinarily so.

Matter at an end.

CANADA CORN-LAW.] The Order of the Day for going into committee upon the Canada Corn Bill, having been read,

Lord *Stanley* spoke to the following effect:—Sir, under ordinary circumstances I should have requested the indulgence of the House in order to enable you at once to leave the Chair, and to permit me to make in Committee the statement with which it is my duty, on the part of the Government, to preface the resolutions which I shall eventually have to propose. But the motion of which the right hon. Gentleman the Member for Taunton has given notice is one which, according to the rules of the House, cannot be submitted when the House has resolved itself into committee; and I therefore deem it more satisfactory to the House, and more fair towards the right hon. Gentleman, that I should give him the opportunity of moving his amendment after he shall have heard my statement, rather than leave him to propose it without any previous explanation on our part as to our objects and intentions. And, Sir, I must confess that I am the more desirous of giving such an explanation, and have thought it desirable, to place on record the grounds and motives of the Government, more fully than is usual in a merely preliminary resolution, on account of the very general misapprehensions which exist, and the gross misrepresentations which have been made with regard to the intent and scope of our measure — misapprehensions which have been probably increased by the sensitive condition of the agricultural interest at this moment, which have produced, and no doubt may produce a very unfavourable impression, but which I will undertake to show are merely the consequence of misunderstanding. Sir, with respect to this matter, I charge no one with misrepresentation; but at least I am not in error in saying that on both sides of this House the objects of this measure have been much exaggerated; that, on the one side, the most exaggerated expectations have been raised as to its probable benefit to the consumer—and that, on the other side, a most exaggerated apprehension as to its probable effect on the agriculturist, has been widely and generally entertained. I am aware, Sir, of the difficulties I must encounter in dispelling these fears. I am aware that the arguments I may use in addressing myself to the one side of the House will probably deprive me of some support from the other. Her Majesty's Government are, in fact, open to a sort of cross fire, and I feel that there is hardly any argument which I can address to one party which will not deprive me of some support from Members on the other side. But be this as it may, I am determined to avail myself of no considerations of temporary advantage. I shall use no trick to obtain support; I shall employ no artifice to pervert the facts; I shall not seek to exaggerate; on the contrary, it will be my object to diminish apprehension; and, to prove my sincerity, I will at once frankly acknowledge, that if I did not feel myself bound by a sense of duty—if it were not for the implied promise which was last Session held out to the Legislature of Canada—and for the obligation which rests on the Government to fulfil that promise to the best of its ability, I should consider the measure I mean to submit—in reference to the immediate interests of this country—in reference to the interests of the consumer as well as of the producer—of such slight and trivial importance, that, knowing as I do the impolicy and inconvenience of disturbing a great settlement, and knowing too well what are the sensitive feelings of the agriculturists at this particular time—if it were not that we are bound by faith and honour, I should have considered the measure I am about to submit of such comparatively trivial import, that I would not have interfered with that interest by asking you to re-open the question of the Corn-law for the purpose of assenting to a bill of a scope so limited and so confined. [*Cheers.*] I hear hon. Gentlemen opposite cheering that avowal.

I know I am exposed to their sarcasms; but I state again, and distinctly, that I do not seek to magnify the importance of this measure, and that my sole object is to place it in its true light—in a light in which it has not yet been placed before either the House or the country. I do not desire to conciliate for my proposal any support on the ground that it is an extensive measure, or that it is a great advance in free-trade principles; for it is no such thing. I do not put it forward as a means of admitting an almost unlimited supply of American corn upon conditions more favourable than at present; for it will do no such thing. I shall not on the one side claim support, or on the other yield in silence to opposition, founded on any mistake as to the real scope and object of my measure. I do not bring that measure forward as a measure of free-trade; I do not submit it to you as a bill for facilitating the admission of foreign corn; but I do bring the measure forward as a great boon to one of our most important colonies. I submit it to the House as a colonial and not as a fiscal question. If it was brought forward as a measure affecting either the fiscal or commercial interests of the country, it would more properly be the duty of either my right hon. Friend at the head of the Government, or of my right hon. Friend the President of the Board of Trade, to propose it to your notice. It is because the measure is purely a colonial measure, that, as the Colonial Minister of the day, I now ask the House to grant to Canada a boon, which though insignificant to you to concede, it will be important to them to receive—a boon which they have solicited for at least five-and-twenty years a boon to which they attach the greatest importance—which you can grant without sacrifice of your own domestic interests, and which her Majesty's Government have on their part pledged themselves to grant in the event of certain conditions being complied with on the part of Canada, which conditions she gratefully accepted and has faithfully fulfilled. Sir, that is the sum and substance of the measure I am about to submit. It is a measure apart from the Corn-law—apart from any question of free-trade. It lies in a narrow compass; but although it does so, believe me, if it be a measure of pecuniary insignificance to you, believe me that your refusal to adopt it in its effects on the feelings of the people of Canada, and through them on the interests of that country the measure is not insignificant. Sir, the measure I propose has for its object to give an encouragement to the agriculture of Canada, by admitting wheat the produce of Canada, grown as well as ground in Canada, into consumption in this country on more favourable terms than at present, without varying, in any material degree, the effect of the existing law with regard to the produce of the United States. I propose to reduce the duty on Canadian wheat and wheat flour; I also propose to substitute, on American wheat passing through Canada, the fixed duty of 4*s*. per quarter for the present varying duty of from 1*s*. to 5*s*. per quarter. I do not propose any alteration whatever in the distinction at present drawn between wheat and wheat flour the produce of a foreign country. I do not propose to admit American wheat on terms different from those on which it is now admitted; but what I propose is, to admit American wheat ground into flour in Canada at a duty of 4*s*. instead of the present varying duty, and that is the sole effect of the measure, as far as American wheat is concerned. Now, Sir, as an hon. Gentleman has particularly directed my attention to the state of the law as regards the importation of wheat and wheat flour from the colonies, and as I know that misapprehensions prevail on this point, perhaps the House will permit me to state how the case now stands, how it has stood, and how it has been practically acted on since the year 1828, farther than which period I think it will be unnecessary for me to go back. Up to last year, wheat was allowed to be imported from Canada at a fluctuating duty varying from 5*s*. to 6*d*. per quarter; by the law of last year it is admitted at a duty sliding from 1*s*. to 5*s*. per quarter, according to the state of the British market. Flour has been imported from Canada at all times, liable to bear a proportionate amount of duty according to the rate of duty levied on wheat. On the import of foreign wheat into Canada no duty has been imposed to the present time. From every part of Europe and from the United States wheat has been admitted into Canada perfectly and entirely free from duty, and that wheat so imported and manufactured into flour in Canada, has ever been considered, if exported to this country, to enjoy all the privileges attaching to colonial produce. Now this is no new regulation; no new rule regarding United States or Canadian wheat alone; it is a general principle which has been acted on, with regard to manufactured goods, from time immemorial in the Customs of this country, namely, that manufactured goods, no matter whence the raw material might come, should be regarded as the produce of the country in which the manufacture takes place. This question, indeed, was brought under discussion at an early period of our fiscal history, in a case which is not a little curious as showing the extent to which the principle is carried. In the 18th of George 3rd.—the year 1788—a question was argued in the Exchequer Chamber, as to what should be the duty on ostrich feathers dressed in France, the said ostrich feathers being claimed as French produce. Now it was clear—it needed no certificate to prove it—that ostrich feathers were not a French production; but these feathers having been dressed in France, it was argued that they were a French manufacture, and the point having been discussed in the Exchequer Chamber, it was determined by the judges that the ostrich feathers so dressed in France were entitled to come in and to be charged duty as French goods. I mention this as a curious case bearing strongly upon this subject. In the year following, an act—the 19th Geo. 3rd.—was passed upon the subject. What did that act do? Did it deny the principle? By no means. It provided that the principle should hold perfectly good except with respect to the produce of Asia, Africa, and America; and with this pretty large exception, this act continued in operation until it was repealed by the 3rd of George 4th, and 6th of George 4th. But, under the 6th of George 4th, this broad principle was laid down, "All manufactured goods shall be deemed to be the produce of the country in which they are manufactured." A broader principle it would be almost impossible to lay down, and this was the principle established under that act. But it will, no doubt, be questioned that this principle applies to corn? Now, on that point, we have certainly no judicial decision, because the question was never raised so as to be brought under judicial consideration; but in 1830, after the act of 1828 was passed, by which, for the first time, Canadian flour was admitted into this country, the question was raised by the Comptroller of the Customs at Liverpool, who, having some doubts as to whether United States wheat ground in Canada could be admitted as colonial produce, referred the question to the solicitor of the Customs, who gave an unhesitating opinion—

> "That flour made in Canada from wheat, the produce of the United States, was to be deemed the produce of Canada, and was entitled to enter this country as the produce of a colony, upon the production of the inspector's certificate applying to colonial produce, and required by the Act of Parliament."

This was the opinion given by the solicitor of the Customs on a question raised by a collector and comptroller of Customs, who asked for a legal authority upon which to act. This is the single case in which the point has ever been raised; and I must next remark, that, to whatever question the law may be open, be the interpretation right or wrong, in the first place, the practice has been without exception to admit United States grown corn, coming from and manufactured in Canada, as Canadian produce—that has been the uniform and unvarying interpretation and practice of the law—and, in the next place, be that law right or be it wrong, this bill does not touch that question—this bill does not refer to that question, and it leaves the law precisely as it now stands. This, then, being the case, and the sole object we have in view being the substitution of a permanent fixed duty on American wheat. [*Cheers.*] I understand that cheer, and I shall come presently to the meaning which it conveys —I say that the object of this bill is the substitution of a permanent fixed duty on American wheat imported through the province of Canada, at the rate of 4*s.* a quarter, for a duty on such wheat varying from 6*d.* it was formerly, 1*s.* it is now, to 5*s.* per quarter. I say, Sir, that that is the sole alteration I propose; and such being the only alteration, I think that her Majesty's Government has cause to complain of the misrepresentations which have been sedulously disseminated amongst the farmers as to the introduction of United States corn, "which," say some hon. Members, "the Government are seeking to bring in by a back door, not daring to open the front." Now, Sir, let me here say, once for all, that neither in this bill nor in any other bill with which I am connected, nor with which my colleagues are connected, will her Majesty's Government seek to introduce furtively or by stealth that which they dare not introduce broadly, plainly, and openly. This "back door," as you are pleased to call it, has been open for a space of not less than fifteen years, that is to say, if by the "back door being open" you mean that United States corn can be admitted into Canada duty free, and as flour ground in Canada can obtain admission into the ports of England. From 1828 to 1843, that door has been open — through that door a considerable portion of American grain has been admitted, and instead of opening that door wider, our proposition is now to take a toll of 3*s.* upon every quarter of corn that must pass it. And then we are told—I hear it at county meetings—that we are doing an injury to the agricultural interest. The hon. Member for Rutland presented this evening a petition, praying that there might be no diminution of agricultural protection; and Gentlemen talk, and farmers are told, that they have grievous reason to complain of her Majesty's Government, for seeking to introduce United States' wheat into Canada at a duty of 3*s.*, forgetting, of course, to put the counterpart, that up to this very moment, there is no duty at all, and that, instead of paying 3*s.*, United States wheat enters Canada duty free. Again, I know it has been stated at several meetings, that we are about to inflict, by this measure, a grievous injury on the milling interest of this country—that we are going to introduce United States wheat in the shape of flour whilst we reject it in its unmanufactured condition. My answer to this is, that we make no alteration whatever in the present state of the law. Reject this law altogether, and the milling interest will be in precisely the same condition as if you passed it. You afford the milling interest no protection whatever by its rejection, because, even now, flour from Canada, ground from wheat of the United States, is imported at the colonial rate of duty. This bill, therefore, as to the agricultural interest, or as to the milling interest, can produce no effect whatever if the fixed duty we propose be only equivalent to the existing rate. I shall now endeavour to prove that it is so. The present rate of duty—and for the convenience of the House I will refer throughout to the duty on quarters of wheat, without reference to the barrel of flour, and assuming that the due proportion is maintained between wheat and flour—the present rate of duty on United States wheat is precisely the same as on colonial wheat. [Mr. *Roebuck*: "Do you mean wheat or flour?"] I mean that, by the law, as it at present stands, wheat imported from the United States into Canada, cannot be imported here except as flour, nor will it be imported in any other way by the law we propose. As flour — as manufactured produce—it will be admitted at the new rate of duty, which, as I said before, we consider equivalent to the old rates. The present duty levied on flour in this country, varies from 5*s.* per quarter, when the price is below 55*s.*, to 1*s.* per quarter, when the price rises as high as 58*s.* Up to 55*s.*, there is a duty of 5*s.* per quarter. By the measure which I propose there will be levied, at all times, and under all circumstances—[*Cheers.*]—hon. Gentleman may have the advantage of another cheer, if they please, at the idea of a fixed duty—by the measure which I propose, there will be levied, at all times and under all circumstances, a fixed duty on wheat imported through Canada of 4*s.* per quarter, whether the price be 40*s.* or 60*s.*, instead of a duty which at present amounts to 5*s.* up to 55*s.* and thence falls to 1*s.* as the price rises to 58*s.* Perhaps hon. Gentlemen may say, that a reduction of even 1*s.* per quarter, that is to say, from 5*s.* to 4*s.*, in the duty, is, in the present state of agriculture, a matter of considerable importance; but let it be observed, as appears, indeed, from a paper laid on the Table of the House, upon the motion of the hon. Member for Stoke-upon-Trent, that during the last five years, the average amount of duty levied on colonial corn has not reached 4*s.* In one year, the average was 4*s.*, but in another year it was only 6*d.*; and the average amount of duty for the whole period has been 2*s.* 1*d.* upon American wheat imported through Canada in the shape of flour; for which, by this bill, I propose to substitute a duty of 4*s.*, whatever the price of the market may be. And let the House observe this, that the present duty is chargeable only on the fine flour imported, and only when brought into home consumption in this country; whereas three-fourths of the duty proposed to be levied, is to be levied on the whole bulk of wheat imported into Canada, which may not be brought into consumption for six, eight, ten, or twelve months, according to the state of the market; and we impose this duty upon the whole amount, including seconds, inferior flour, and the refuse. I do think, that 4*s.*, to be so levied, is a fair, just, and ample equivalent for the existing duty. [Sir *C. Napier*: "It is more than ample."] The hon. and gallant

Gentleman says, it is more than an ample duty; but let him recollect that at the present moment a duty of 5*s*. attaches invariably till the price of wheat is 55*s*. I know by what objection I shall immediately be met here. I have anticipated it in the cheer I have already heard from the other side of the House, when the subject of a fixed duty was mentioned. "After all," it will be said, "you are coming down to a fixed duty of 4*s*. upon wheat." I beg to say I am not coming down to any such thing. I am coming down to no fixed duty of 4*s*. on wheat. I should have been glad to know how the noble Lord opposite, who proposed a fixed duty of 8*s*. per quarter on wheat, would have dealt with this particular article, and whether he would have subjected to an 8*s*. duty wheat, the produce of foreign countries, imported through our own colonies, and there undergoing the process of manufacture. Unfortunately, the noble Lord had not the opportunity of submitting his plan in detail to the consideration of the House; his project was cut off in the bud; but I should like to know how he would have dealt with that question. I have no hesitation in saying, that whatever may be the advantage of the sliding-scale over a fixed duty, setting other objections apart, the fixed duty has the merit of simplicity; and if I could adopt that which, under all circumstances, and under all seasons, and with reference to all countries, should strike a fair average of duty, of course, I should prefer, as any man of sense would—I don't think there would be any difference of opinion on any side of the House—I should prefer the simplicity of a fixed duty to the complication inseparable from a sliding-scale. Let the noble Lord or any person propose a sliding-scale, the extreme point of which shall be 8*s*. on one side, and 12*s*. on the other, and I tell the House very frankly, that rather than take a sliding-scale, the extreme of whose protection should be 8*s*. the minimum, and 12*s*. the maximum, and for that variation rendering necessary the complicated machinery of the averages, I would infinitely prefer the average between these two amounts, and take the fixed duty of 10*s*. rather than the fluctuating duty. The advantage of a sliding-scale arises from the extent of range which it must cover; you can take no amount which shall fairly represent an average of a duty ranging from 20*s*. to 1*s*. If the scale vibrate only for 3*s*. or 4*s*., you may dispense with the unnecessary complication of the sliding-scale and collecting averages, but if you have a scale with a protective duty of 20*s*. at one end, and a comparatively free admission at 1*s*. at the other, proportioning the protection to the varying exigencies of the case, no average can be struck. Therefore, I say, it is perfectly consistent in me if the duty is to vary from 1*s*. to 4*s*., to say I prefer a fixed duty, whatever it may be, between those limits, and at the same time to reject it when the minimum and maximum duties are so widely different as to promote at one time comparatively free importation, and at another, amounting to an almost prohibitory duty. I prefer the sliding-scale in such circumstances, because you can have no fair average of the protection required. But, again, suppose a distinction is to be drawn in favour of Canadian wheat—that Canadian wheat imported into this country is to be subjected to no duty, or only a nominal duty, and American wheat to a protecting duty, I want to know, if the duty is to be levied in Canada, in what manner it is even possible to have a sliding scale from 4*s*. down to 1*s*.? In what manner will you on the Canadian frontier fix the sliding-scale, and declare the averages with reference to the price in this country? If you are to draw the distinction between Canadian and American wheat, you must levy the duty on the Canadian frontier, and not in this country. If you are to levy the duty on the Canadian frontier, and not in this country, then the sliding-scale is impracticable. The sliding-scale is too inapplicable to a duty only varying 2*s*. or 3*s*., and without departing in any degree from the principle of protection as applied to the agricultural interest in this country, you have no resource but a fixed duty between the very narrow limits to which your scale would fluctuate to one side or another. I have answered this argument to the best of my ability; but I confess I do not lay much stress on it as an argument. It may do very well to excite a Parliamentary cheer, or to raise a taunt of personal inconsistency; but against the measure, as I propose it, it is no argument at all; and I have shown that it is not an argument, that, on the ground of inconsistency, can fairly be urged against those who support a sliding-scale. I now come to a more important point; that is, can the duty in Canada be levied? Be the duty what it may, it would be levied in the Custom-house in this country; and I am ready to admit, that if any reasonable apprehension can be entertained that the duty cannot be levied in Canada, it would be a strong argument against the measure which I propose. Never was there a more chimerical apprehension entertained than that wheat will be smuggled into Canada to escape a duty of 3*s.* per quarter. I will prove it to you from circumstances, from probability, from practice. Hon. Gentlemen are very much in the habit of saying that the boundary between Canada and the United States is for a long distance a mere river, that there is no difficulty in passing it, and that you might easily throw a biscuit across it; but what is the real state of the case? I put Lower Canada out of the question altogether, because it produces little or no wheat; certainly very far short of what is required for its own consumption. The whole of the wheat of which the Canadas have any surplus, of their own produce, is grown in Upper Canada. A large portion of that which comes into this country is not the produce of Canada at all, but of the United States, the great states of the west — Illinois, Ohio, and Indiana. From the point at which the St. Lawrence becomes the boundary between Canada and the United States to Kingston, the distance is seventy or eighty miles, up a very rapid and broken river.

Mr. *Roebuck:* There is not a single rapid from Prescott to Kingston. I know the place well. I have gone up the river in a canoe hundreds of times.

Lord *Stanley*: Be it so; but that is not the district in which the wheat is produced. Above Kingston comes Lake Ontario, about 150 miles long; it is united by the Niagara River to Lake Erie, a lake 200 miles in length, both of these lakes varying from sixty to seventy miles in breadth. There is, therefore, a distance of from 350 to 400 miles, connected only by a river for the space of twenty miles, that river including the rapids above, and the whirlpools below, the falls of Niagara being perfectly impracticable. The wheat-growing districts are, in the first place, the Canadian districts on the north of Lake Erie, and the great American districts to the south-west. These are the districts—Indiana, Ohio, and Illinois, from which corn is brought to Cleveland, the principal shipping port of Ohio, and thence the trade is carried on partly in steamers, but principally in large schooners built for carrying cargoes of this nature; passing through the Welland Canal and a succession of British locks into Lake Ontario, and thence to Montreal, whence shipments are made to this country. There is a distance of above five hundred miles between the ports of shipment. The north side of Lake Erie is cultivated to a certain extent, and grows Canadian corn; the south side is cultivated by the Americans. The schooners engaged in the trade are all perfectly well known — they carry on their operations as a regular systematic trade—their owners are all known; the north coast, on the Canadian side, is singularly destitute of harbours; the lakes they have to cross are about four times as wide as the Straits of Dover; if it were attempted to run a cargo of wheat, and land it on the Canadian side for the purpose of saving 3*s.* per quarter duty, the mere expense of landing and conveying it again to a wharf, and transhipping it, would very materially exceed the duty which it was the object of this not very wise smuggler to evade. I would ask any of my hon. Friends the Members for Kent and Sussex—did you ever hear of French wheat being smuggled and landed on your shores? No—and why not? Because, first, although the duty is much higher, the risk more than counterbalances it; and, next, for this very good reason, which equally applies to Canada as to Kent and Sussex—that the shore to which the smuggler must come is occupied by persons whose direct and immediate purpose it is to prevent the possibility of smuggling that particular article. It is quite true, that it is in some cases easy enough to smuggle from Canada to the United States, and from the United States to Canada—it is easy for fugitives from justice—it is easy for deserters from the service—it is easy to carry over a pound of tea or silk in a canoe—but to carry over a quarter of wheat at great risk, and where there are no harbours and few roads, to re-ship and tranship it, for the purpose of evading a 3*s.* duty, is the most chimerical apprehension ever entertained. Does practice bear us out in this view? From 1825 to 1831 there was imposed a duty of, not 3*s.* but 8*s.* a quarter on United States wheat imported into Canada. I have not been able to ascertain the precise amount of duty which was collected; it is included in the general revenue of the colony; but in the Blue Books of the colony, although they are not altogether to be depended upon for accuracy as official returns, I find that in every year a certain amount of

American wheat was imported and brought to charge; and in no one year from 1825 to 1831, while 8*s*. per quarter was charged, was there any allegation from any quarter whatever that a single bushel of wheat had been smuggled into Canada or had evaded the duty. Here, at least, is negative proof—no such allegation was ever made. But perhaps hon. Gentlemen may say they will smuggle flour into this country; why don't they smuggle flour now? I will tell you why. The duty is sufficiently high to tempt them; but it is with flour as it is with respect to corn—the interest of the whole population is against the smuggler of flour, and in favour of collecting the duty. Let the House recollect that the duty on American flour imported into this country is 20*s*. per quarter; on Canadian flour it is 5*s*. Under the existing law, therefore, the temptation to smuggle flour into Canada, for the purpose of having it introduced as Canadian flour into this country, amounts to 15*s*. per quarter, or 300 per cent. on the duty; and yet to this hour I never heard the allegation made that one single barrel of flour had been smuggled into Canada; nor do I believe that a single barrel has ever been introduced without a *bona fide* certificate. On the practice, therefore, of six years, during which an 8*s*. duty was levied on the clear interest of all parties on the spot to prevent smuggling—on the physical impediments standing in the way—in the absence of any allegation that it has ever existed —on all these grounds, I say, no apprehension of smuggling need be entertained. This was the view taken before the 8*s*. duty was enacted both by Lord Dalhousie in Canada, and Lords Liverpool and Bathurst in this country, when it was said we should be inundated with American wheat and flour; and when that duty was taken off in 1831, as part of the Customs' regulations of the year by Mr. Poulett Thomson, not a single allegation was made that it had been evaded. I have endeavoured to deal with this question with reference to the apprehensions which have been entertained as to the importation of American wheat under the name of Canadian wheat: with the permission of the House I will now consider the question as it affects the importation, at a reduced rate of duty, of *bonâ fide* Canadian produce—the growth as well as the manufacture of Canada; and here I say distinctly, that it is our wish to give encouragement to colonial produce, to the agriculture of Canada; that as a Government we are pledged to do so, and that we may safely do it without detriment to any interest in this country. This is an object which Canada has had at heart for the last twenty or twenty-five years; and I have in my hand a succession of despatches from governors, and memorials from boards of trade and from both branches of the Legislature, from the year 1821 to the present time, all urging the propriety of acceding to their prayer in this respect. If there be one subject of legislation upon which Canada from one end to the other has been and is unanimous, it is in urging that, in order to enable them to consume more largely the manufactures of this country, you will treat them as part of the parent state and admit on easy terms the *bonâ fide* produce of their agriculture. I say you may safely grant this boon. I know not whether I ought to argue on a question of this kind, because if the boon ought to be granted, I am satisfied there is sufficient public spirit in the country not to weigh too nicely the possible disadvantage to our own interests; but, I say, you may safely grant it without any injury to agricultural interests—without any reduction in the existing price of agricultural produce. Let the House recollect, that hitherto the import of American wheat into Canada has been wholly free; and what quantity has been imported into this country? In the course of the last thirteen years, from 1830 to 1843, the amount of wheat and wheat flour imported into this country from Canada, including what was imported from the United States, was only 1,153,968 quarters. That is to say, somewhere about 90,000 quarters of wheat is the whole amount, which, upon an average of thirteen years, Canada has been able annually to export to this country; not, be it remembered, from her surplus produce only, but that being absolutely the whole of her surplus produce, supported and backed up by all that she could import from the United States free of duty. And this brings me to the question, at what rate can this Canadian corn be imported and brought into consumption here? This is not an unimportant point to keep in view, in the discussion of any measure having for its object to give greater facilities to the trader. Now I find that, of the 1,153,968 quarters, there were imported at and above 67*s*. 387,389 quarters; at and above 55*s*., and under 67*s*. 566,748 quarters; making in the whole above 950,000 quarters, out of

1.153,000, imported and brought into consumption here, when the price in this country exceeded 55*s.* a quarter. At lower prices than these, about 93,000 quarters were imported when the prices ranged from 50*s.* to 55*s.*, and the whole amount brought into consumption, when the prices were under 50*s.*, scarcely exceeded 106,000 quarters during the whole thirteen years' importation.* But this is not all. I will go further, and will show you how, and when, and under what circumstances the importation took place when wheat was below 50*s.* in price. I have not the returns as to flour; but I have a return as to wheat, and I find this result:—There were three years, and three years only, in which wheat was brought into consumption from Canada, at a rate of price below 50*s.* in this country; and those were the three years—1834, 1835, and 1836. Now, I beg attention to these facts. 1831 and 1832 were years of very high prices, and accordingly wheat from Canada, imported and brought into consumption, was, in the first year, 110,000 quarters, and in the next year, 164,000 quarters. The next year, 1833, was a year in which the price varied from 49*s.* 10*d.* to 55*s.*; and in that year the import fell from 164,000 to 61,501 quarters. The three next years were years of constantly falling prices. In the first year prices fell to 41*s.* 10*d.*; in the next, to 36*s.* 10*d.*; and at the commencement of the third year prices for a considerable period averaged 36*s.* 8*d.* Now, in these years, so hopeless did the Canadian merchants consider the prospect, that, by referring to the returns moved for by the hon. Member for Bristol, and now upon the Table of the House, you will see that not a single quarter of wheat was imported from Canada in the years 1835, 1836, and 1837; and that the merchants who had brought large stocks into this country upon the faith of the high prices of 1831 and 1832, and who held back in 1833 in the expectation that they would yet be able to realise a profit by prices rallying, were obliged, at last, in 1834, 1835, and 1836, to bring their stocks into the market at a very considerable loss, and the wheat sold under these circumstances constituted the whole of the Canadian wheat ever brought in any year into the British market at prices below 50*s.* per quarter. This, then, at least, is satisfactory evidence—in the first place, that no great importation of Canadian corn is to be apprehended when the average prices in this country are low; and next, it is satisfactory proof that Canadian wheat cannot be profitably introduced and sold here unless prices range at least from 50*s.* to 56*s.*, nor, probably, unless they are higher even than the latter average. And mind, these prices were under a system of free importation from the United States. When there is a duty of 3*s.* per quarter on the importation of that corn into Canada, will it not necessarily follow that prices at Montreal must rise? [Lord *Howick*: "Hear."] The noble Lord cheers me, and I understand his cheer; but let me remind him, that I do not seek by this measure to establish any system of unlimited free-trade. Sir, I do not bring this measure forward as a measure of free-trade, and I give the noble Lord the benefit of that admission. With his notions respecting unlimited free-trade, he has quite a right to resist my motion. If he desires to sweep away all distinctions—if he wishes to deprive the colonies and the agriculturists of the mother country of all protection—if he wishes to put all nations on a perfect equality with re-

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* The following Table was referred to by the noble Lord.

Wheat and Flour, the produce of British North American Colonies, admitted to Home Consumption between the 5th of Jan. 1830, and the 5th of Jan. 1843.

	Wheat.	Wheat Flour.	Wheat and Wheat Flour stated in quarters.
	Quarters.	Consumption.	Quarters.
When the average price of wheat was under 50s.	74,438	111,626	106,332
50s. and under 55s.	75,123	62,217	93,499
55s. and under 67s.	270,186	1,037,965	566,748
67s. and upwards	166,579	772,838	387,389
Totals	586,326	1,984,646	1,153,968

gard to the introduction of corn—he is quite justified in opposing my motion. He is justified in doing so, because, as I repeat, this motion is not a motion for free-trade; it is not founded upon that principle—it is founded upon quite a different principle—it is founded, I tell the noble Lord, upon the principle of giving encouragement to the agricultural industry, and to the produce of our colonies, leaving the protection of our native agriculture, as respects the United States of America, as nearly as possible in the same condition in which we find it, neither increasing nor attempting to reduce it. I stated at the outset, and I will again repeat it, that it is as a measure of encouragement to our colonies, and of undiminished protection to the home grower, and not as a measure founded on the principles of free-trade, that this measure has been brought forward by her Majesty's Ministers. Now, Sir, I laid upon the Table of the House, in the course of the present Session, a number of calculations, with which, however, I will not fatigue the House, because I do not rest any part of my case upon them. They are calculations which proceeded from the committee of the Legislative Assembly of Canada, and which were laid before the assembly of that province. They were not received by the Government, nor laid upon the Table until after the announcement of this measure; but, however favourable for my purpose, I do not quote them as part of my case, because, whilst I do not in any way discredit their accuracy, the measure I am about to propose is wholly independent of such calculations, and they were indeed laid before Parliament simply because her Majesty's Government would not allow it to be said, "You have information from Canada which you promised to lay upon the Table, and which you now withhold, because you think it does not bear out your views." But, Sir, I will call attention to a document laid upon the Table with reference to the current prices at Montreal and Quebec at the present time. This return is certainly not as full as we might desire, for this very good reason, that there are no accurate returns, no law being in force in Canada to regulate the taking of the averages. But, incomplete as it may be, you will still be able to derive considerable information from the return to which I am referring. You will find, on the authority of the persons best able to give you information, that the prices at Montreal and at Quebec, under no circumstances, fall below 40*s.* a quarter. They generally range at from 45*s.* to 50*s.* the quarter; and by making inquiry of any merchant, you will find that the lowest amount at which the importation from Quebec, independent of any profit, can be made, is 12*s.* 6*d.*, 13*s.* 6*d.* or 14*s.* a quarter, which charge must of course be added to the price of 45*s.* to 50*s.* a quarter, before you can introduce in average years any Canadian wheat into the home market. I have several returns from merchants in support of these calculations, but I will not trouble the House with any of these statements, as they might be supposed to proceed from parties whose interests might bias their judgment; but I have a statement here which is not open to any objection of that kind; it is taken from a Boston paper, the *Boston Courier,* where it is published in the shape of an extract from the communication of a correspondent of the *Cleveland (Ohio) Herald,* and who says fairly enough:—

> "The object of the British Ministry is evident on the face of the measure. It is to promote the emigration of British farmers to Canada, where as good wheat lands exist as in any part of the world; to give protection to the Canadian millers; to provide employment for the British shipping connected with Canada, recently deprived, by their imperial tariff, of the lumber trade, and, in times of scarcity in bread stuffs in England, to give their own subjects a pre-eminent advantage over foreigners in operating under a fixed duty, whilst others have the hazard of a sliding-scale of duties."

The correspondent then goes into very minute calculations, by which he arrives at the conclusion, that in the present state of, or without a considerable rise of price in, the British market, the Canadian merchant cannot afford to go to Ohio as a purchaser of corn, with a view to take any advantage of the facility which this law will give him of importing United States corn through Canada into this country. This correspondent also refers, in a striking and convincing manner, to the expenses of shipment and tran sit from Montreal to this country, placing the expense of such shipment at a dollar and a half the barrel of flour, that is to say, at about 6*s.* 2*d.*, or 6*s.* 3*d.*, making, as nearly as possible, the amount per quarter at which I have already calculated the shipping expenses. He concludes by saying:—

> "A sale of flour, therefore, in England at 30*s.* per barrel, would only leave the Montreal shipper, as a profit, the current difference in

exchange between Montreal and London, say 7 per cent. on 5 dols. 19 cents, which would be 35 cents a barrel profit. Any person having experience in the trade will readily admit, that 35 cents margin is not sufficient where flour is up to 30*s*. per barrel—it will not cover the hazard of a decline in the present appearance of the English market."

Now I do not wish to weary the House by going over these minute calculations, nor, indeed, is it necessary that I should do so at present, though I may be compelled to return to them at some future occasion. But what is material for us to consider, and what I beg to impress on the House is, that though this may not be a measure of free-trade—immaterial as you may consider it—immaterial as I consider it—to the consumer in this country—and insignificant as I think it must be admitted to be when it is considered as a measure affecting the British agriculturists, yet, the introduction of Canadian corn at a 1*s*. duty, while not encouraging nor fostering any more than the present law, the importation of wheat from the United States, will be, to all intents and purposes, in its practical effects and moral results, a measure of inestimable value to Canada, and if to Canada, to the empire at large. Sir, this measure is an object for which Canada has long contended and anxiously hoped. This is not the first time the proposition has been submitted to Parliament; this is not the first time I have expressed my opinion on the subject. In the course of last Session the question was brought before the House in a tangible and definite shape. In the course of the discussion on the Corn Bill then under consideration, the hon. Member for Limerick proposed to permit the introduction of wheat, the produce of British possessions in North America, or elsewhere out of Europe, at a fixed duty of 1*s*. per quarter. I objected to that amendment, but I stated only one single objection to it. In the face of the House and the country I stated, as my only ground of objection to the adoption of the proposal, that, by consenting to it, we should clearly be importing free of duty, not Canadian, but American wheat, and that I was not prepared to introduce American wheat free of duty, though prepared to give encouragement and support to the agriculture of Canada. But perhaps I may be excused if I cite my own expressions on the subject. I quote from "Hansard's Debates," and this is the language I then used:—

"It was not just to call upon them, under the plausible argument of giving encouragement to Canadian agriculture, to relieve from the burthen of duty all the corn and flour which passed from America through Canada, taking, at the same time, no means to prevent ourselves from being inundated with American corn. This was the ground on which he, for one, could not concur with the motion of the hon. Gentleman. If there were any alteration of the law which regulated the importation of wheat into Canada—if there were such a restriction on wheat going into Canada as would free this country from competition with American corn, under the name of Canadian corn—then the Canadians would be entitled to a greater relief."*

That is the language which I, as a Minister of the Crown—as a Minister charged with colonial affairs, used as the main ground for resisting the hon. Gentleman's motion. A number of the friends of the agricultural interest were present in the House at the time, and no objection was taken to the grounds upon which I rested my argument. Not a single gentleman contravened the position I laid down. The motion was rejected on those grounds, and simultaneously with that rejection, a despatch was sent from this country, which, by my directions, was laid before the legislature of Canada, inviting them in terms not to be mistaken, to qualify themselves, by imposing a duty on American wheat, to receive the boon which they had long demanded at the hands of the British Government, which I, on the part of that Government, was ready to extend, and which I did not believe the British Parliament would refuse to confirm. And here let me entreat the House to recollect what was the position of Canada when that despatch was transmitted. At that time you had just accomplished a most perilous experiment: you had quelled a most serious revolt in that country—you had recently consolidated the interests of that country by the perilous experiment of a union of the two provinces—you had, for the first time, met a united legislature; and it was under circumstances such as these that Sir Charles Bagot was authorized to make, as his first communication to that united legislature, a tender of good-will—a promise that the country should be treated as an integral part of the British empire, and that it should send its produce home at a nominal rate of duty, provided it gave a certain security, which it was necessary for your interests to demand. That tender of good-will—that proposition on the part of the British Government—was received with unanimous approbation and gratitude. A bill was introduced into the Canadian Legislature to carry out the views of her Majesty's Government, by imposing the required duty on American corn. In its progress through the lower House, that measure led to division on one point, and on one point only. A proposal was made to tack to the bill imposing a 3*s*. duty on American wheat, a condition that it should not be of force unless the British Parliament granted the promised boon. Some gentlemen professed a doubt of the intentions of the British Government, and urged that it was necessary that the Legislature should take securities against a failure on our part. But the Legislature refused to entertain any such doubt. "We will not indulge," they said, "in any such unworthy suspicions. We never had such a doubt, and we will imply no such bad faith. We believe that the Minister intends what he speaks. His language is not to be mistaken. We will not indulge in unworthy suspicions." The proviso was accordingly negatived by a very large majority, and the bill passed unanimously through both branches of the Legislature of a colony which not long before had been convulsed by internal dissentions and hostility against the mother-country, from one end of it to the other. That bill, Sir, is sent home for the sanction of the Crown. Of course I have not advised the Crown to sanction that act of the Canadian Legislature, nor shall I advise the Crown to sanction it, until the House of Commons shall have enabled me to perform my part of the contract. I hold myself in personal honour bound—I hold the Government in good faith, as well as in good policy, pledged to omit no exertion to carry into effect the convention we entered into with the Canadian provinces, in the face of Parliament and of the country. I hold that we are bound to strain every nerve to preclude the possibility of expectations being blasted, which we were so instrumental in exciting. I hold that it would be the basest conduct on our part to say to the Canadian Legislature, "You have, it is true, vied with each other in expressions of gratitude for this boon. The prospect has been held out to you of improvement to your country, by renewed and closer connexion with Great Britain; you have evinced your anxiety to improve that connexion—you have complied with our conditions—you have expressed your gratitude—but you have expressed it too soon, for this boon shall not be conferred on you—not because we entertain any real apprehension of its effect, but because there are some in this country who do entertain such fears, and, unfounded though they may be, unfounded though they are, to those fears and apprehensions we must and will defer." I ask you, then, as Members of the House of Commons—I ask you, as legislators, responsible for the conduct of the affairs of this mighty empire—do you believe it wise—do you believe it politic—do you believe it just—do you believe it generous—do you believe that it is safe thus to trifle with the feelings, the expectations, and the hopes of those who unanimously acceded to your terms, and who gratefully accepted your proffered boon? Will you accept the responsibility, and tell the Canadians, "We will not give you this boon: the cup of rejoicing shall be struck from your hand, and dashed in mockery from your lips?" No, Sir, I do not believe the House of Commons will take such a course. I know not what may be the intention of the right hon. Gentleman, in moving that the House do not advise her Majesty to consent to the Canadian bill. But I tell him, whatever the intention, that it is needless. If the House reject this measure, I tell him frankly that the first official measure I shall perform, even if it be the last, shall be to advise her Majesty to disallow the bill; that is, if I find, as I trust I shall not, that this House does not enable me to fulfil the conditions upon which alone that bill was passed by the Canadian Legislature. But do not think that, in that case, matters will remain as they are. Do not believe that, in that event, the people of Canada will rest satisfied, as if you had never made them this offer do not believe that you can so trifle with the feelings and wishes of the population of that great and important colony. And even if you could so trifle, is it wise for you—and I now address myself to those who are the most intimately connected with the agriculture of this country—is it wise for you to set up this line of distinction between yourselves and your fellow-countrymen in Canada? You desire protection against the free importation of all foreign corn, from whatever quarter it may come. I do not say, that your home produce, on an average of years, is likely to be at all times insufficient to supply your home demand; but I cannot help reminding you that, notwithstanding the emigration that is now going on to the extent of 100,000 per annum, the population that remains is increasing at the rate of 300,000 a year. And if your population at home should outgrow your average supply of home production, I ask, where, in the first instance, is it wise to look for the means of supplying the deficiency? I ask you, would it be wise to look for it, with an equal and impartial eye, to all quarters of the globe, without considering the prices at which the supply may be introduced, without reference to the amount which may be forced in upon you, without reference to the circumstances under which this country may be placed, or without regard to an increase in the demand for the products of British industry? If you desire a source of supply made to your hand, which should meet all the conditions that a prudent agriculturist would desire, and to which any one regarding the interests, whether agricultural or commercial, of this great country, would be disposed to look, I would direct you to that great area, which, with a climate not very dissimilar to your own, is cultivated by your own countrymen, which is capable of producing an increased supply, but which is not capable of furnishing that supply, unless prices should rise to such an amount as to indicate a deficiency in the home produce. The supply in that case will be furnished you by a province with which it is important you should continue the most intimate relations; which is the main and chief hold upon that vast continent for British interest, feeling, and affection; which is the refuge of your surplus labourers, where they may still labour in their accustomed art, and furnish supplies to their accustomed market—where they may still look to England, not as a country from which they are banished, but as a country to which they cling and feel that they belong; which is capable of supplying your deficiencies, though not of supplanting your productions; which must consume your manufactures, and which has only this one desire, to possess additional means of paying for them. It is a country which is subjected to no hostile tariff—a country which realizes all the recommendations that were lately made in the most forcible and eloquent terms by the hon. and learned Member for Liskeard, (Mr. C. Buller) when he told you to increase, by promoting the intercourse with your colonies, the area for providing for your home consumption, and where you could command a market for your manufactures in return. If you have apprehensions that, in the course of years, your supply may gradually fall short of the demands of this country, I say that, free from all the objections which attach to an unrestricted importation from foreign countries, you have the means in your own hands of meeting the deficiency; and at the same time commanding the trade, maintaining it in your own hands, supporting your shipping interest, improving the condition of your own fellow-countrymen, knitting closely to yourselves, by interest and affection, that portion of the great continent of America which you may hold with signal benefit to yourselves, but not so unless you hold it by the good-will and affection of the people of Canada;—I say, on all these grounds, agricultural, commercial, and political — upon the ground of justice and expediency — on the ground of the faith which her Majesty's Government have pledged to Canada, and which I confidently believe the House will enable us to maintain, I submit with all confidence to the House the plain statement I have made, without exaggerations on the one side or the other, in the full assurance that the House will enable the Government of her Majesty to redeem the implied contract into which it has entered. With these feelings, Sir, I appeal to the House in the fullest confidence; and I shall now, in the first instance, submit a proposal that you, Sir, do leave the Chair, in order that the House being in Committee, I may introduce the resolutions of which I have given notice, and which are to form the groundwork of the bill I intend to introduce as a Member of the Government, and for the principle of which, whilst in all its details it will be open to your fullest discussion and consideration, I confidently anticipate the sanction of Parliament.

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* Hansard, Vol. lx. p. 1232.

Mr. *Labouchere:* In any observations, Sir, which I may feel it my duty to submit to the House, I shall endeavour to imitate the calm tone which distinguished the greater part of the speech of the noble Lord who has just addressed you. I agree with the noble Lord that much misrepresentation and many exaggerated statements on this subject have been circulated through the country; and I shall certainly not seek to conciliate agricultural Gentlemen opposite, by pretending to share in their alarm, that the consequence of the measure proposed by her Majesty's Government will be to affect the home market, by flooding it with corn either of foreign or colonial growth. I agree with the noble Lord, that in that respect the apprehensions of the agricultural Gentlemen are quite unfounded. But while the noble Lord stated, and stated truly, that the apprehensions of the agriculturists on this subject were without any solid foundation, I hope that Gentlemen on this side of the House who listened to his speech with the attention it deserved, will not suppose that a single word of that speech was addressed to them, for the noble Lord, with the frankness that is natural to him, said that he did not advocate the measure as a free trader. As a friend to free-trade, therefore, I feel that I am acting consistently in opposing a measure which, said the noble Lord, no one who advocated the principles of free-trade could support. Before I come to the consideration of the measure itself, I must allude to the footing on which the noble Lord has put this question. The noble Lord said, that we are not free agents in this matter; that we are fettered by what took place in the course of an incidental discussion on the Corn-laws at the end of last Session, when perhaps not more than ten Members were in the House listening to what the noble Lord said on that occasion. Are we then to be precluded from considering this question because the noble Lord told the House that he had made a declaration in the House of Commons that such a measure would be introduced? Are we to be told that the noble Lord has a right to say that the House of Commons is precluded from objecting to this measure in consequence of the bargain which has been entered into, and that we are to discuss this question, not on its merits, but with reference to the dissatisfaction which the rejection of it will produce in the minds of the people of Canada? If any danger is to be apprehended from such a course, the responsibility rests with the noble Lord. On the part of the House of Commons I claim for them the free and unfettered right to consider this question on its merits. I shall now proceed to state the reasons which compel me to give my dissent to the measure brought forward. The practical question before the House is whether they should give their consent to an arrangement made with the legislature of Canada, one part of that arrangement being that we are greatly to reduce the duty on flour imported from the St. Lawrence into this country, and the other part being that a Corn-law is to be enacted by the Parliament of Canada for the protection of the people of Canada in the introduction into that province of American grown wheat. If it were in my power to have taken one part of that arrangement, if I could hope to persuade the House to reduce the duty on corn and grain brought from Canada to this country—such a reduction being, in my opinion, desirable for the interests both of the people of England and Canada—then I would have given such a proposal my warmest support, as I believe that it would tend to mitigate one of the most mischievous consequences of the sliding-scale. I have always felt the warmest interest in that colony, and it is extremely painful to me to feel myself bound to oppose any measure supposed to be for its advantage. It will be necessary for me to ask the House to recollect the course of legislation which had been pursued on this subject of late years. In 1831, the Government of Lord Grey brought forward a measure, the most important feature of which was the abolition of duties on all the principal articles of export from the United States to Canada. That, at least, Mr. Poulett Thomson declared was the chief advantage which he proposed to himself from the measure. He went so far in stating his opinion, which I will read in his own words, as to say that the measure would have the effect of sweeping away all the custom-houses along the whole line of the St. Lawrence. He said:—

> "The greatest advantage which results from it, however, in my opinion is, that by the arrangement respecting the admission of flour and salt provisions, duty free, into the northern colonies, we destroy the whole range of custom-houses on the St. Lawrence, and open at once that vast outlet to the productions of the states of Maine and Ohio. I need scarcely dwell upon the advantages which must result, in a political point of view, from rendering these fertile provinces, daily increasing in cultivation, dependent on us for an outlet for their produce. Any one who will reflect on the subject for a moment must be aware of this."

These were stated by Mr. Poulett

Thomson as the effects which he anticipated from the measure of Lord Grey's Government; and certainly I did expect that the noble Lord, then a Member of that Government, would have availed himself of this opportunity to explain the grounds that have led him to alter his opinions, and which have induced him in this Session and in the last to revive that system which it was the object of the law of 1831 to throw down. If the noble Lord and the right hon. Gentleman the Secretary of State for the Home Department, who was also a member of Lord Grey's Government, have altered their opinions, I would be the last man to make it a matter of reproach to them that they avow that alteration; but I think some explanation is due from them to the House, to show why they now adopt a course so very different from that which they adopted then. The first step in this direction, and the first blow struck at the measure of 1831 was the present bill by which last year the President of the Board of Trade proposed an import duty on salted provisions crossing the border of the United States. I have a strong feeling that these duties, on a frontier of 1,500 miles, are highly impolitic. Any revenue to be derived from them must, I believe, be very insignificant, while the expenses necessarily incurred by the establishment of custom-houses must be very great. For these reasons I opposed the imposition of those duties last year, and for the same reason I think I may now with perfect consistency oppose the imposition of a duty on American wheat and flour imported into Canada. I will now approach the scheme of the noble Lord, and I will first consider it on the supposition that smuggling can be prevented, and that a duty of 3*s.* on American corn will operate as a protection. I am not prepared by any means to do away with all duties favourable to colonial produce in this country. I have always been opposed to such a course. But, on the other hand, I am very fearful of the consequences of raising up new protected interests, particularly when I see the exaggerated use which is made by some parties of the principle of protection. I am extremely averse to laying the first stone of an edifice which must lead to an unsound and artificial system of legislation, disfigured by those abuses which, in this country, it has cost so much to lessen. I resist it as much for Canada as for England. Believing that the Corn-laws cannot last long in this country without being subjected to a general revision, and being regulated on more rational principles than those on which they are at present settled, I am greatly afraid of fostering and encouraging by any artificial means an agricultural interest in Canada, which may prove a serious obstacle to any rational alteration of the Corn-laws in this country, and lend the weight of its influence to impede measures which it may be the duty of Parliament to adopt with reference to the general interests of the empire. I must also observe that this proceeding is in the nature of a bargain. Suppose the Canadians should find that this Corn-law is not successful, and that its effect should be to produce disappointment and discontent in that colony, shall we be at liberty to alter it? We have encouraged the provincial parliament to pass this law, and it cannot be altered without their consent, as well as the consent of this country. I cannot help thinking that at no distant period, whatever may be the feelings existing at this moment in Canada, which we are informed are favourable to such a measure, the sentiments of the inhabitants of that country may undergo a great change, and that this favourable opinion may not last long. What is the fact? Lower Canada is a corn-importing country, and a corn-law of this description must raise the price of corn to the consumer in Lower Canada. There are large mercantile cities in Canada, which are growing in population and importance. Why, I cannot but believe, that at no distant length of time the inhabitants of these countries may not feel great dissatisfaction at having to pay an increased price for their food, and being prevented from importing corn and flour from the United States at the cheapest rate, merely to foster an agricultural interest in the upper provinces. I think all these are reasons why we should be cautious before taking such a step as that proposed by the right hon. Gentleman. I have hitherto regarded this question as if I believed that smuggling across the border could be prevented. I have no doubt the Government believe that it can; I am quite satisfied they never would have passed a measure which will be a mere juggle and deceit on the country, if this 3*s.* duty across the frontier was to be a mere paper duty. I have found some free-traders disposed to support the Government because they believe that a duty of 3*s.* across the border will be a mere farce, that corn and flour will come in absolutely free, and be brought to this country as if it had paid the 3*s*. duty; that that duty is all very well to satisfy the fears of the agriculturists, but will turn out to be nothing at all; and that we shall have an absolutely free-trade down the St. Lawrence, in American flour, by the proposal of the Government. Now I say at once, that if I am satisfied that the duty of 3*s*. across the border will not be operative, and a mere paper duty, I for one will not advocate and support a measure founded on so dishonest a principle. That is the view, I believe, of the hon. Gentleman the Member for Bath, who has much personal experience in Canada. I at once fairly own I have not the means of forming any decided opinion on this point. I have consulted many persons connected with Canada, and have received the most various opinions respecting it. I am inclined to think this will be the result, that at first, especially, this duty will be effectual for the most part. I believe that on some particular points there will be some slight smuggling; as the United States become cultivated my belief is, that there will be more and more smuggling, and I believe we shall have contrived to unite the inconveniences and disadvantages of two absurd systems, namely, that there will be some protection and a good deal of smuggling besides. At any rate I must say, with respect to this question of smuggling, the reasons given to us for supposing that there will be none, appear not to be very good reasons. I will shortly examine those reasons. The first reason given is, that it will be the unanimous interest of the people of Canada to prevent smuggling across the border. Now, I am by no means of opinion that it will be. It may be the interest of the Canadian farmer, though I am not quite sure of that; but will it be the interest of the corn-factor and the miller? Why, it is quite clear that a large class of persons —a very influential class—most of them Americans, having connections in the United States, I believe, will have a very opposite interest. I own, I think, as far as my observation has gone, that when the interests of corn-factors and speculators clash with those of farmers, the merchant or factor is apt to outwit the farmer. The noble Lord did not make use of an argument which I expected to hear from him with respect to the possibility of preventing smuggling—I mean that derived from the revenue raised on other articles of consumption. I should be very glad to see a return of that revenue, in order that the House might have the means of comparing the expense of the line of Custom houses established from Canada to the United States, and the revenue which the province derives from that establishment. I thought the noble Lord would have referred to the duty on tea, silks, and other articles, and that he would have argued, that it would be highly absurd to suppose if you could levy imposts on such articles as these, you could not levy a tax on so cumbrous an article as that of corn. But there is this material distinction between the cases. If a chest of tea, for instance, be in possession of a person in any town or village of Canada, you can go to him and attempt to trace the cargo of tea; you can ask him whence it came, and how he got it into his possession. That is the way in which smuggling generally is prevented. But you cannot ask that question with respect to wheat; when you find wheat growing all about him, it would be absurd to ask him from what place it came. You cannot quite argue from the duties on other articles, so as to be quite sure that there will be no smuggling in that of wheat or flour. The mention of tea reminds me of what happened on that subject. Until lately, there was a prohibitory duty on tea crossing from the United States into Canada. What was the consequence of the imposition of that duty? Lord Sydenham sent a despatch, which must be now in the records of the colonial office, describing the state of the country in reference to the importation of tea. He said, everybody is a smuggler; there is not a pound of tea that pays duty; not only the regular smugglers practise it, but Members of the Legislature, magistrates, and all, are engaged in smuggling tea. With respect to the injury done to the sense of moral and legal obligation in society by this smuggling, nothing could be worse than the picture he drew. He recommended, that we should try the experiment of reducing the prohibition to a very moderate rate of duty. That experiment has been tried; but I am very doubtful of its success. I should be curious to learn if the right hon. Gentleman has examined this matter; but I entertain fears that the experiment has proved a failure, and that nothing will attain the object of suppressing smuggling but the entire abolition of the duty. Even if it could be proved, beyond doubt, that this duty was good, as respects the importation of tea, I do not think the argument will apply, for reasons which I have given, to the article of corn. I have stated my opinions on this subject as far as I am able, without considering whether any particular argument I may have used may appear to favour the one side or the other of the question. Although I may be of opinion that the prevention of smuggling is not so wholly satisfactory as the Government seemed to believe; yet I do not think that any real danger to the agricultural interest in this country need be apprehended from this measure, I wish I could believe that it would greatly promote the importation of wheat and corn into this country, especially from the continent of America. When I consider the unfortunate operation of the sliding-scale, the immense importance of our being able to take the wheat, flour, and other staple agricultural produce of that great continent, and inducing them to take our manufactures in return, if I could believe that this measure would have the effect of promoting that result, I confess I should be inclined to waive my objections, and give it my support. It is because I do not believe that the objections of agricultural gentlemen have any foundation, because I do not believe that this measure will have any sensible effect in increasing the importation of America, while it appears to me to involve principles the most erroneous, that I am constrained, however reluctant I may be to oppose a measure of the provincial Parliament, to give my opposition to the scheme which her Majesty's Government have laid before us. I am not prepared to give my assent to a measure which, if not by direct legislation, yet indirectly, obliges the people of Canada to impose a duty on themselves, which is to be levied through the medium of a line of Custom-houses, and thus to erect an artificial and unnatural system of protection for certain interests in Canada. If it can be proved to me, that the machinery of Custom-houses is insufficient, and that it will be totally inoperative, I will not be induced, under a dishonest pretext, to support a measure founded on a mere delusion. If it is operative, on the other hand, I say, that you are taking a step which will establish a protected interest in Canada, much more easy to establish than to get rid of afterwards. In looking at the papers on the Table, I see that the Canadians are already amusing themselves with drawbacks, and involving themselves in all those questions which a Corn-law, once established, brings with it. Sir, I feel satisfied that we are consulting the real interests of that colony by doing nothing on our part, at least, to induce them to take the first step in a system which I believe will have most unhappy consequences. The noble Lord, the Secretary for the Colonies said, he viewed this as a colonial question only. How can it be for the interests of Canada to have Corn-laws? All the best arguments for a Corn-law in this country are entirely inapplicable to Canada. No one will say there are any peculiar burthens on the agricultural interest of that colony. My right hon. Friend reminds me that the Canadian farmers have not been settling their daughters' portions with reference to the prices of agricultural produce. I really should not have introduced so trivial a point on this occasion, if gravity had not been given to it by its being mentioned by a Minister of the Crown. There has been no long continuance of a Corn-law in that country—no great capital has been vested in it—no immense population has been employed under an artificial system, which, by a sudden return to a better system, you may fear to throw out of employment. All this being so, it must be admitted that all those considerations which have been regarded as justifying the maintenance of a Corn-law in this country, are totally inapplicable to Canada, and have no foundation in that colony. I am told, that all the disadvantages which I have mentioned are to be compensated by the inestimable advantage of sending the produce of the Canadian soil at a low duty into this country. If that could be effected to any extent, and without those disadvantages which accompany the scheme of the Government, I should be most glad to give my support to a plan for admitting grain coming from America, or indeed from any part of the world, on more reasonable terms than at present. I have now mentioned my main objections to the proposition of her Majesty's Government. There are, however, one or two minor points, which, though I do not lay very great stress on them, yet I think ought not to be thrown out of consideration. The first is, the effect which this plan will have on our inter-colonial duties. We heard a great deal last Session, of the injustice of giving any advantage to one colony at the expense of another: The duty, then, for the first time imposed on American flour going across the border into Canada, was justified solely on what were termed intercolonial grounds. We were told, that it was solely on account of the indirect effect on the people of Newfoundland, who, the right hon. Gentleman said, were not to be taxed by a differential duty in favour of Canada, for the benefit of the Canadians, that we were asked to sanction that duty. Now, I ask the Government, how we are to reconcile the principle on which they then proceeded, with their conduct on the present occasion. For what will be the effect of this bill on the colonies that receive corn and flour from Canada, on Newfoundland, Jamaica, New Brunswick, or other colonies? Recollect what your system is. You lay a tax on foreign flour imported into those colonies, you do that for the purpose of inducing the colonists to take their flour from the St. Lawrence; therefore you oblige them, in a certain sense, to go to Canada and the St. Lawrence for their supply of flour. What will be the effect of the alteration of duty on those colonies? Every barrel of flour sent from Quebec to Newfoundland or Jamaica will pay a duty of 3*s.* per quarter to the Canadian treasury—that is perfectly obvious. Now I must say, that while I entertain every good wish for the prosperity of Canada, I do not wish to make our other colonies tributary to her in this respect. Considering the importance assigned by Government last year to a very minor colony, I think we ought to have some explanation of the grounds on which they propose doing an injustice to other and more considerable colonies. There is another point, of no great weight—to which I do not attach much importance, though, in point of principle, it appears objectionable. I mean the effect of this plan on the revenue of this country. You pay a fixed duty of 4*s.* a quarter on corn and flour coming from the St. Lawrence to this country. That, of course, is paid by the English consumer, and I think it but fair to let it go to the English treasury. I know Gentlemen opposite are not very fond of a fixed duty, and now they are putting it forward in a manner to depreciate it as much as possible; but I think it rather hard that the English consumer should have to pay a duty of 3*s.* on every quarter of corn and flour imported into this country by the St. Lawrence. If there were any real, palpable advantage to be derived by the colony from this measure, it might be worth the sacrifice. Considering the immense importance of this colony, and what it has cost us, I quite admit that it would be wrong to allow any paltry consideration of revenue for a moment to interfere; but when we find a measure which Gentlemen opposite represent as of no very great consequence after all, I think we ought not wholly to disregard that consideration. Now, I come to deal with a position I have often heard repeated of late, which has a very catching and popular sound, and meets with great favour in this House when mentioned, respecting which Gentlemen opposite profess much anxiety—that our colonies should be treated as English counties. Under that vague word I should like to know what is really meant—it may mean anything or nothing. It does not mean evidently that the produce of all our colonies is to be admitted into this country like the produce of Ireland. Jamaica does not grow corn, it grows sugar and coffee, but I am afraid the Chancellor of the Exchequer would have very serious objections if any hon. Member were to propose to admit the produce of that colony into England without paying any duty. You say you ought to treat Canada and other colonies as integral parts of Great Britain. As long as your fiscal system is confined to England and Ireland, and different from that of your colonies, it is utterly impossible. Government may say, on a question which is not a matter of revenue, we can treat our colonies as if they were so many counties. I should be glad to know whether Government means to carry out this principle in other cases. There are other colonies in North America beside Canada, Nova Scotia, New Brunswick, Prince Edward's Island. I believe some of these have petitioned that their produce should be admitted at 1*s.* duty into this country. I think the House has a right to know what are the intentions of Government with regard to those colonies. I want to know if we are to expect a Nova Scotia bill next year, a New Brunswick bill, and a Prince Edward's Island Bill? In case the Legislatures of those other colonies should be willing to accept the terms which the Legislature of Canada professed their willingness to accept, do the Government mean to propose to Parliament to let in corn the growth and flour the manufacture of those colonies at the same rate of duty which will apply to Canada? I think this question the more important from the tone and manner in which the noble Lord has argued this question; for we really must attend very closely to every word that drops from a Minister of the Crown hereafter; because, if a single sentence is to conclude Parliament, and if we are to find that we are then tied and bound by a pledge, and that we are not at liberty to discuss those questions on their own merits, but that we are concluded, by not having heard or not having listened to some sentence in the speech of a Minister, I must say it behoves us to take care to do all we can to ascertain the intentions of Ministers, lest we should fall into one of those traps for the unwary. This is a question of much importance. Nova Scotia may not grow much corn, but it can grind corn, and I should be glad to know whether her Majesty's Ministers intend to apply this principle to that colony; at any rate we have a right to a clear expression of their intentions on this subject. If not, see what a beautiful system you will have; see to what the perfect simplicity of your Corn-laws will come. You will have a great sliding-scale for the world in general, a small sliding-scale for Nova Scotia, New Brunswick, Prince Edward's Island, and the other British Colonies, and a fixed duty for Canada alone. Is that what you mean? Is it really the intention of Government to place the Corn-laws of this country on this footing? I hope that in the course of this discussion, the doubts and difficulties which I have ventured to express on this subject will be cleared up. But it is said Government now propose to try the experiment of a fixed duty; and, as I have frequently expressed my opinion in this House, that a fixed duty would be the system best suited to the circumstances of this country, I am taunted with inconsistency, because I now oppose the proposition of Government. I do not think I am open to any such charge. In the first place, I do say that the trial of the principle will be made in the most unfair and disadvantageous way. I do not believe that a fixed duty thus applied will have any of the advantages over the sliding scale which it would have if applied in the proper way. First, take the case of the exporting merchants of Canada. The advocates of a fixed duty have always stated that one of its great advantages over a sliding-scale would be that the exporting merchant would know the duty corn would have to pay on its arrival in England, and might, therefore, calculate the price it would fetch and the profit he would make. Will that be the case if the fixed duty be confined to Canada? The merchant will know the duty he himself will have to pay, but he will not have the least idea what will be paid by any competitors from another country, whether 6*s*. or 21*s*. There will be the most absolute uncertainty on this point, and my firm belief is, that if you maintain a sliding-scale, while you induce the Canadians to become on any large scale speculators in the grinding and importation of corn to this country, my belief is, that you will introduce a trade into that country full of gambling and hazard. What do we find by the papers on the Table? The Canadians say that all the corn speculations in that country have been for the most part ruinous to the parties who have been engaged in them. They are so to those in other countries who engage in grain speculations to England, and they must be so to the Canadians also. I have now endeavoured to state my reasons for disapproving of the scheme proposed. I oppose it because in either of the alternatives—whether it produces a smuggling trade across the border, or creates a protected interest in Canada—I fear the effects of the measure will be mischievous. I oppose it because it will certainly build up and establish a system which I thought the policy of this country of late years had been wisely directed to abolish—I mean the maintenance of custom-houses along a frontier of three thousand miles. I oppose it because it appears to me unjust to the consumer of wheat in other British colonies, and because it applies the principle of a fixed duty in a partial, and, I think, in a most unfair manner, because I see no countervailing advantage which can be set in opposition to the violation of principles with which it abounds. I entreat Gentlemen who are free-traders, with whose opinions I agree, to pause before they give their support to a measure which even on the confession of the noble Lord who brought it forward, is founded on principles of which they cannot approve. They may say that though false in principle, it is of no great importance. I do not wish to represent this bill to the House as likely to be attended with any great immediate danger—that is not the view I take of it. I think its immediate and present consequences, either for good or evil, have been greatly over estimated; I think the fears of the agriculturists, and the hopes which some free-traders have founded upon these fears, are equally exaggerated; but this I will say, that it is founded on a principle which I cannot assent to, and which is quite inconsistent with those which I have supported as necessary to place the general trade and commerce of the country on a sound footing. For these reasons I oppose it. If the sense of the House shall be clearly pronounced for the measure I shall offer it no pertinacious or vexatious opposition. But I could not have satisfied my sense of duty if I had not taken the first opportunity of protesting, as far as I am able, against the principles it involves. I beg to move that—

"An humble address be presented to her Majesty, humbly praying her Majesty to withhold her assent from an Act passed in the last Session of the Provincial Parliament of Canada for the imposition of a duty on the importation of foreign corn."

Mr. *Thornely* was so entirely opposed to the scheme of the noble Lord, that he had not the least hesitation in rising to second the motion of the right hon. Gentleman. He was aware it might have a very ungracious appearance to oppose an act passed by the people of Canada, and if they had come to that House to complain of restrictions on their trade he would have been one of the first to give them his aid in removing these restrictions; but the object now sought was that wheat might be brought from Canada to this country at a very trifling duty, and in order to that he was asked to assent to a duty of 3*s.* a quarter on the wheat imported into Canada. He had too much regard for the people of Canada to vote in support of that measure, and thought too highly of the prospects of any country emancipated from the operation of the Corn-laws to give his sanction to the imposition of such laws where they did not exist. Canada did not produce sufficient corn for the consumption of the British possessions in America. The origin of this measure was to be found in the meetings held at Toronto and other towns, of persons connected with the agriculture of Canada, who had urged on the people of that country the imposition of a protective duty. He did not think that smuggling could be carried on to any great extent in Canada; the whole of the wheat from the upper part of the country must pass from the state of Ohio and the adjacent territories down the Welland canal. He was in that part of the country in September last, and saw at the town of St. Catherine's, many vessels discharging wheat from the United States for the purpose of being ground and brought to this country. The vessels laden with wheat being required to pass through this canal, there would not be the least difficulty in levying a 3*s.* duty; what it might be on Lake Onterio and the St. Lawrence, he could not say. In considering this proposition, we must also look at its operation on the disposition of the people of the United States. It was most important to make a favourable impression on them. The high tariff party in Congress, in place of the duty which, under Mr. Clay's Compromise Act, had fallen on the 30th of June last to 20 per cent., had imposed prohibitory duties on many articles of British manufacture. Mr. M'Duffy, a very enlightened member of Congress, had laid on the table of the House to which he belonged a series of resolutions which were to be proposed in December next, for reducing all duties to an amount merely sufficient for the purposes of revenue. How important, then, was it that we should do nothing which should unfavourably influence these proceedings in America. Now, although the quantity of wheat that might pass through Canada would be small, yet of this the House might rest assured, that the shipowners in Congress would take advantage of the measure now proposed and describe it as indicative of bad feeling on the part of England towards the United States, inasmuch as they would say it was a scheme to admit American wheat converted into flour, but confining the carriage entirely to British ships. If we wished to increase the imports from America to this country, and so lead to a corresponding increase of our exports, we ought to take the wheat of America in the cheapest manner it could be brought over. We ought not to restrict ourselves to the narrow channel which Canada affords—a channel frozen up for six months in the year. Let the wheat be brought down to the Hudson, the Mississippi, or by any other way the Americans chose. He was strongly alive to the importance of impressing the American people with good feeling towards us; but that would not be effected by the course they were then pursuing; but, on the contrary, they were strengthening the hands of the high-tariff party there. It ought to be conceded that America was our best customer, and it was our own fault she was not a better one, for we refused to take her corn and flour. He objected to the measure because it did not remove the restrictions on our commerce; but, on the contrary, it imposed a new corn-law upon Canada; he objected to it because it did not apply to New Brunswick or Nova Scotia, but placed one of our North American colonies upon one footing and another upon another; he objected to it because he thought it calculated to impress upon the minds of the people of America a sense of our unwillingness to deal with them, and he intended to offer his opposition to it in every way.

Mr. *G. Bankes* had no objection to state to the principles enunciated by the noble Lord, the Secretary for the Colonies, and acquiesced in by the right hon. Gentleman opposite, the more especially as they were principles which deeply affected the interests of one of our most important colonies. Agreeing in those principles, he could not offer any objection to the preliminary motion of the noble Lord. It was difficult for him to understand why the right hon. Gentleman had offered his amendment to the House, because it appeared to him to be inconsistent with the affection and respect due to so important a colony, to move in that House that her Majesty should withhold her consent to the first important measure which had been passed by the united Legislature. He could not have any hesitation, whatever his opinion of the measure might be, in giving a negative to the amendment of the right hon. Gentleman. He could not join in any address to the Crown, praying her Majesty to withhold her royal sanction from a measure which had passed the Colonial United Assembly almost, as he understood, with unanimity. He should feel hesitation in taking that course, even if there were no other mode in which he might offer his opposition; but should his duty require him to oppose the measure of the noble Lord, plenty of opportunities must necessarily be afforded to him, and he would give it in conformity with the rules and usages of the House, and in a regular manner. Like the right hon. Gentleman, he regretted to hear some of the observations of the noble Lord, and he must take leave to say, when the noble Lord complained of the exaggeration and clamour which prevailed in the country respecting the measure, that the chief origin of that exaggeration and clamour was the manner in which the measure had been introduced to their notice. On no matter was it so desirable that complete information should have been prepared and published, in order to satisfy the public mind; and it must be lamented, that some course had not been resorted to, previous to the introduction of the measure, which might have prevented the fear which it had created in the minds of those engaged in agriculture. He believed he was not incorrect in supposing that the outline of the measure was conceived in the minds of her Majesty's Ministers last year, and that the reason why it was not then submitted to the House was, because the Legislature of Canada had not then passed the bill which was to be preliminary to its introduction. Now, the measure might have been a very good one last year—it might have been supposed that it would not injuriously affect the agricultural interest, considering the state that interest was then in; but circumstances had very much altered. Whatever might be the cause or causes, it was most undeniably the fact, that the value of agricultural produce had sunk below the estimate any one had yet made of remunerating prices—certainly far below the estimate of those who framed the Corn-law and tariff of last year; consequently, those engaged in agricultural pursuits had some reason to conclude, at all events to hope, that the Ministers would have taken that fact into consideration. The measure was planned and framed under circumstances which did not now exist, and he had hoped that her Majesty's Government would have adopted a different scale. Before introducing the measure, he regretted that her Majesty's Government had not resorted to the usual expedient adopted in matters of much less importance—viz., the appointment of a select committee to inquire into and report upon the whole circumstances of the case; such a course would have been both just and prudent, and would have tended to prevent the wide spread alarm which now existed. He was quite ready to grant that the noble Lord fully believed that all the statements he had made were perfectly correct. He gave the noble Lord full credit for his talents and research, and he further believed that the noble Lord, as far as was possible, had dismissed from his mind all preconceived opinions; but in matters of such importance, in which it was plan that a step forward could not be easily retraced, and therefore it was not too much to ask that before the Government had come to a decision, they should have instituted a searching inquiry, and communicated the result to those who were so deeply interested in the matter. In respect of the question of smuggling, it turned not on the fact whether there were 1,500 miles of frontier, or whether there was more or less facility for landing goods in a secret manner; but it turned, as they had known on very recent occasions, upon the honesty or dishonesty of those employed to prevent it. Now, he believed, that these waters offered peculiar facilities for smuggling, and had a committee been named, plenty of evidence upon the point could have been obtained within the House itself. The right hon. Gentleman (Mr. Labouchere), the hon. Member for Bath (Mr. Roebuck), the hon. Member for Coventry (Mr. E. Ellice), could have given valuable information upon the subject, and the hon. and gallant Member for Liverpool was most intimate with the whole question. But the Government had acted without information themselves; even on the 1st of February of the present year, the noble Lord addressed a despatch to Sir C. Bagot, in which the noble Lord said—

> "Referring to a despatch of the 11th of November, in which I stated, that I was desirous of hearing further, especially with regard to the Wheat Duty Bill, and urging you to obtain such information as would assist the Government in forming an opinion, I am aware that the state of your health has been an impediment to your proceedings; but as the time for decision is now rapidly passing away, and I cannot proceed without the information I was led to expect, I must ask you to request the Executive Council to enter on the duty, and furnish me with information, and particularly with reference to the exemption from wheat duty, and how far it has affected the question of frauds on the revenue."

Even so late as February, then, the noble Lord pressed for information, and from all the papers they were in possession of upon the subject, it did not appear that he had ever obtained any. The House was bound to believe that the noble Lord had received no satisfactory information, as none had been laid before the House. The question, then, was, were the agriculturists of this country to be compelled to compete with the wheat of America, admitted into this country at a 1*s*. duty? Although it was admitted by fraud, still the competition would be the same, and as severe. Previous to the introduction of the Corn Bill last year, every information was prepared by returns and reports, and now the House was called on, without any such information, to proceed to the completion of this bill, because it was considered part of the original measure. All that he meant to say was, that when this additional bill came before the House for its adoption, they had a right to ask for as much information on that as on the other parts of the scheme, and while that information was incomplete, they had a right to ask for better satisfaction than the assertions of the noble Lord, whatever might be the respect they felt for them. Some of the statements on which the noble Lord relied were contradicted by the papers on the Table. The noble Lord said, that he did not rely on those papers, as they were moved for on the other side of the House, and were not officially produced; but what he complained of was, that there was no official information with respect to the average duty paid on Canadian wheat. The noble Lord had stated, that in five years it was 2*s*. 1*d*., and that there was no cause for complaint when he offered a fixed duty which made the average 4*s*. But in those papers it was stated by the Canadians themselves that the general average was 5*s*.; and they go on to say that such a duty could form no substantial protection to the English farmer. By this, the statement that the average was 2*s*. 1*d*. was contradicted. It might have been so for the particular five years in question, but the average at large was 5*s*. The question of smuggling was no doubt a most important one, but hitherto he had heard nothing very satisfactory from any hon. Gentleman who had alluded to that part of the subject. There were two branches of smuggling to be apprehended. The one was by secret landing, or fraudulent entries, and the other through the fisheries; and certainly he could not comprehend what, under the proposed system, would be the difficulty of bringing corn in those fishing vessels free of duty. The right hon. Gentleman had referred to another point worthy of grave consideration—namely, how far the colonies of Nova Scotia and Newfoundland, especially Newfoundland, would be affected by this measure. It did seem to him that Newfoundland, not being a corn-growing country, would suffer most unjustly from this measure. The noble Lord had spoken of the insignificance of the difference between the duty under the present system and that which was now proposed; and perhaps the difference might be inconsiderable, if there were any prospect of a return to high prices; but when they considered that the probability of a return to high prices was very remote, and that the agriculturists of this country could now only look to a maximum price of 55*s*., the difference would be very considerable. Besides, there was this great difference between the present and the proposed law—that under the proposed law the 3*s*. duty was to go in ease of colonial taxes, instead of the 4*s*. going, as under the present law, in ease of the taxes upon the English farmer—a matter which, in the present times, they could not throw out of consideration. He agreed with the noble Lord, that they should do what they could to promote the interests of their Canadian colonies, but he wished he could emulate the eloquence of the noble Lord when he appealed to that House, and asked whether there were not other parties, whose interests they were bound to protect, when he appealed to the House to remember the promises made to the farmers of England, perhaps not in words—not promises extracted from hon. Gentlemen, but the promises of an honourable mind that, to the best of its power, it would exert its faculties to insure that for which promise had been extracted, if any doubt as to their intentions had existed. He would not, as he had already stated, offer his aid to resist the introduction of this measure; he saw no objection to the principle; but he felt that it was his duty to watch its peculiar provisions, and, if he found that they interfered with the real interests of English agriculture, to do all that in him lay to prevent their becoming law.

Mr. *G. Heathcote* did not believe, that such mistaken notions had been entertained of the bill among agriculturists as the Government appeared to imagine. It was known, that American grain could not come into this country, but in the shape of flour after having been ground in Canada. The bill was, however, objected to on general and important grounds. A great measure had passed last Session which had been represented as a "settlement" of the Corn-law question, and it was too bad, after so short an interval, to come forward again with new experiments. The whole loss would fall upon the agriculturists, and any gain would be reaped by other and minor interests, if ever there was an inopportune period for such a measure it was the present. The distress of the country was most lamentable, and that of the manufacturing interest he most deeply regretted; but it was exceedingly aggravating to the agriculturists to know that the costly sacrifices to which last year they had submitted, had produced, as it was said, so little benefit, and had been received with such unkindness and ingratitude. They found, in fact, that submission did but pave the way for larger concessions and more sweeping demands. The position of agriculture now was as bad as it had been in 1835—the worst year for some generations, perhaps; and was this the time chosen for a new experiment in corn bills? There was a very bitter state of feeling upon this subject in the agricultural districts; not that the farmers were such fools, however, as to be willing to throw themselves into the arms of the Anti-Corn-law League. If others had been untrue to them it was no reason why they should be untrue to themselves; and if they had lost one-fourth of their capital it was no reason for throwing away the remainder. There was, however, a very sore and wounded feeling among the agriculturists; they had lost trust in every party, and entertained confidence in none. How different had been their treatment in 1835? Their petitions, then, had been received with every attention and regard, and two committees had been appointed to inquire into their complaints. Now, their complaints were met by demands for further concession; and there would soon be a cry of distress from one end of the country to the other, which the right hon. Gentleman and his Colleagues would find it hard to silence. Yet all the agriculturists asked was to be let alone. He earnestly protested against a continuance of the compromising and conceding system which had been carried so far last year. If, against any party, the measure of the preceding Session should be a final settlement, it surely should be so against the right hon. Baronet who had so represented it. But the principal objection to the measure was its being founded on the principle of a fixed duty. What? after all that had been said on this subject last Session—after the short lapse of eighteen months since the speeches of last election, a fixed duty proposed by the Government! It was said to be so small a matter as not to be worth discussing. But a thing might be small in amount and yet important in principle. If the measure were insignificant and immaterial, why was it brought forward? Unless it were important, was it not folly to risk any serious consequences? Pledges to the colonies had been talked of, but it had been well replied, there were pledges given to the English counties? He wished not to say anything painful to Gentlemen opposite, many of whom he was aware must be in a peculiar position; but he would ask, would their constituents have nothing to complain of on the score of breach of faith, if this measure were carried? The next point to which he objected was the transfer of revenue from this country to Canada. After the painful view of the revenue of this country afforded by the budget, he could not consent to the removal of any money from the Treasury of this country to that of Canada; and it was also with him a matter of grave objection that the machinery for collecting these duties should be taken out of the hands of the English Government and transferred to the authorities in Canada. Now, he would look a little to the details of the measure. And first as regarded American corn, he must say that he objected altogether to the fixed duty. He liked the sliding-scale given by the measure of last year infinitely better than a fixed duty, and the transfer of the machinery of collection to the Canadian authorities increased his objection. He believed, too, that a great deal of smuggling would be the result of the plan proposed, and he was confirmed in that opinion by the high authority of the right hon. Gentleman the Member for Taunton. Again, would the proposed duty stand? He found an ominous paragraph in a speech in the Canadian Assembly, intimating that whenever the price was above 30*s*., there must be a drawback. [Lord *Stanley*: "The Legislature did not pass that proposal."] No! but the opinion was expressed, and it might hereafter be carried out. The noble Lord had set out on a fiscal tour with the hon. Gentleman, the Member for Bath; but they had quarrelled and parted company at the first stage. In the midst of all these differences of opinion the farmers of this country might well look with apprehension at the proposed change. Now as to grain grown in the United States and admitted as flour manufactured in Canada, one of the evils of the bill was that it perpetuated that system. [Lord *Stanley*: "The bill does not refer to it at all."] No! that was the very thing. He thought it a very dangerous system, and he trusted that the House would take it into its consideration in dealing with this subject. Then, as to Canadian corn, he must ask, why was Canada to have that favour which was withheld from Nova Scotia, Prince Edward's Island, and Newfoundland? Lord Sydenham had said, that the Canadians had "no right to complain of the footing on which they now stood;" and he was very high authority; but they were told that a very small portion of corn was to come from Canada. The same thing had been said to the agriculturists last year; but if the quantity were limited now, how long would it remain so? He had seen a memorial from the Canadian committee of the British North American Association, expressing a strong opinion that Canada could send as much corn as this country would receive. When they found such contradictory statements, he could not but entertain very considerable fears on that subject. Under the proposed law the Canadians might import for their own consumption and export their own produce. Why was Canada to be placed on a better footing than any other English county? Why were the peculiar burthens under which the English agriculturists laboured to be thrown out of consideration? He spoke not now of the large landed proprietors, but he pressed upon the attention of the House the case of the thousands and hundreds of thousands of small proprietors in this country who were ground down by the burthens upon the land. He regretted extremely that a measure of that sort should have been so soon introduced after the supposed settlement of last year; and he felt it his duty to oppose that measure, and take every fair means of impeding its progress through that House.

Mr. *Miles* could not help contrasting the principles that were advocating last year by the noble Lord on this subject with those that were advanced by him on this occasion. The noble Lord then stated broadly, that it was notorious to all that every atom of Canadian flour sent to this country was actually the produce of the United States, but now he called upon them to aid the Canadian agriculturists by this measure. But there was this difficulty. He thought it exceedingly hard that those hon. Members who represented agricultural constituencies, agreeing as they did, and some of them with the greatest difficulty, to the measures of the right hon. Baronet last year, having looked, of course, to the developement of his plans in his own speech, and having supported him upon the second reading, should now be told that the Government had pledged their honour to pass such an act as this, and that, therefore, they were now to redeem that pledge, and at the same time, the House was to recollect that they were doing an immensity of good to the Canadian colonies. He, for one, should be delighted to do good to those colonies, because they would open new markets to our manufactures. But last year the right hon. Baronet had determined to adhere to the sliding-scale, and to place foreign and colonial corn upon the same principle; and he should like to know what alteration had taken place since that time, to render necessary the change proposed by these resolutions. He was perfectly aware that in taking the course which individually he found himself bound to take he was laying himself open to reprehension from those with whom he had been associated for many years, and whose political principles however estranged from them upon this particular point, he should always have pleasure in supporting; but he could not forget that he represented a large constituency, and that the interests of the farmers in his county were committed to him. He was himself perfectly unpledged, but at the same time, he was proud to say, perfectly trusted. And although he never would abuse the confidence reposed in him, he would, when he thought it his interest as far as his constituents were concerned, and his duty so far as his conscience was concerned, equally dissent from those who sent him there, or from those with whom he was associated. Now, disagreeing as he did with the measure brought forward by the Government—although the object of the right hon. Gentleman's opposition might be very different from his, yet if the resolution were only carried against the Government, things would remain possibly in the same condition as at that moment—he should vote for the motion of the right hon. Gentleman. It was not as if the noble Lord had asked them to go into committee first of all, without laying the resolutions before the House, but the whole country understood the tenour of those resolutions, and the tenour of them was an alteration of the principle of last year, and therefore one which he could not but humbly condemn. At the same time he was told it was but a little thing, and surely so small a measure he would not vote against. But a year had scarcely elapsed since the adjustment of the Corn-laws, and yet they were now called upon to give up a little without the least resistance; but if they did that, would it not be difficult to resist the next advance upon the sliding-scale? He was quite sure the noble Lord acted from the highest principle. The noble Lord believed that he was pledged to Canada, and he thought that as a Minister the noble Lord was quite right in perfectly fulfilling his pledge. But at the same time he was pledged, as a Member of that House, to give his independent vote upon the subject; he believed the principle of the noble Lord was wrong, and he should therefore vote against the motion.

Viscount *Howick* was anxious to take the first opportunity of stating to the House what his opinion was upon this subject. He differed entirely from the last three hon. Gentlemen who had spoken because he believed that two of them only were going to vote against the motion, and that the third, although his vote would be in favour of it, had spoken very strongly against it. The hon. and learned Gentleman, the Member for Dorsetshire, seemed to be in a dilemma, for which he very sincerely pitied him, and from which he was afraid he could not congratulate him upon extricating himself, even after the great ingenuity he had shown in attempting to do so. The hon. and learned Gentleman found, on the one hand, a very strong feeling on the part of his constituents against the motion, and, on the other hand, the hon. and learned Gentleman had an extreme desire not to abandon his Friends on the Treasury Bench. Therefore, although the noble Lord said, that the Canadian act and the English act were, in fact, one measure, to stand or fall together, yet the hon. Gentleman would not vote against the Canadian act, but reserved his opposition to a future stage, when he expected his opposition might be fully understood. He had no doubt that the hon. and learned Gentleman's constituents equally understood such tactics, and would admire much more the ingenuity of the hon. and learned Gentleman than his practice. With respect to the measure before the House, the noble Lord fairly told them that it was, in fact, a proposition for the admission of American corn, subject to a fixed duty, because it appeared on the face of the papers before the House, that Canada did not produce sufficient corn for the supply of British North America. She had no surplus, and, therefore, whether she imported American wheat, to supply her own consumption, and sent her own corn here, or imported American corn, ground it into flour, and then sent it to this country, it was substantially one and the same measure, and the object of that measure was to create a transit trade through Canada, in flour derived from American wheat.

Lord *Stanley* thought he distinctly said, that no part of this measure was to increase the transit trade as it now existed.

Viscount *Howick*: The object was not to increase the present transit trade. Then, if Canada did not grow enough for her consumption, and that was admitted on the face of the papers before the House and by his noble Friend. [*No, no.*] It was rather important to see what was said upon this subject, and upon what authority. The noble Lord had laid before the House various papers, and among them was a very important report from a committee of the Assembly of the united provinces of Canada. In that report, it was said—

> "All the grain grown in Canada would not supply the consumption of British North America."

What was the noble Lord's commentary upon that? The noble Lord said—

> "Lower Canada produces little or no wheat and clearly less than her own consumption."

That was the statement of the noble Lord; and then the noble Lord might talk as he would about the object of the bill, but with that admitted fact, that the country did not produce enough for her own consumption—[Lord *Stanley*: "No, no."]—Yes; because Canada was so intimately connected with British North America, that British North America must be almost considered as identified with Canada. But Canada did not produce enough corn for British North America, and there was a large and thriving trade in American produce now with Canada; and with that circumstance in view, he would ask the House, was not this measure for the purpose substantially of creating a transit trade in Canada of American Corn? Because, as to any surplus Canada could have beyond what she required for her own consumption, when Lower Canada produced little or nothing, it must be trifling and inconsiderable. The trade, then, derived its importance from the transit of American wheat in the shape of flour ground in Canada. And how would it come here? The first thing was at a duty of 4*s.*; and the next, which was the material point of consideration, and which he thought had been left too much out of the question, was at an increased charge in consequence of coming by the most expensive route. They had, fortunately, the calculation of the House of Assembly upon this subject, and there the extra price of American produce, coming to this country, through Canada, in the shape of flour, was estimated at about 9*s.* a quarter. Unless, therefore, the price in this country was such that there should be a difference in the rate of duty upon American flour coming direct, and upon that coming through Canada of 9*s.* or 10*s.* a quarter, that flour could not come through Canada. [*No, no.*] His hon. and learned Friend behind him should listen before he condemned his argument. The report of the committee of the Canadian House of Assembly clearly showed that flour would rather go by the natural and direct route than by the circuitous Canadian route to this country. That was the statement of the House of Assembly, and he thought it would be found that the measure of his noble Friend would be equivalent to the admission of American wheat, subject to a charge of 11*s.*; that was 1*s.* in duty here, 3*s.* Canadian duty, and the remainder made up in the charge of conveyance and other things in Canada. If the price of grain here were under 55*s.* the Canadians could not afford to send it at all, in consequence of the competition with flour going by the Erie canal. If they turned to last year they would find, that at the price of 61*s.* the duty raised on Canadian corn was 1*s.*, and on foreign corn 11*s.*; that was a difference of 10*s.* in the duty between flour coming direct from the United States, and flour that came through Canada; and he would ask if he had not now made out, according to the calculations of the House of Assembly—but he would not assume that these calculations were correct—that American flour according to the measure now proposed, would come to this country subject to a fixed charge of 12*s*., viz., 3*s*. Canadian duty, 1*s*. home duty, and the remaining 8*s*. made up in the intermediate charge of conveyance? So far as the measure was one for the introduction of American flour at a fixed rate of duty, it was one which would have his most cordial support, though at the same time he confessed, that it did appear a most strange measure for her Majesty's present Government to bring forward; they must, indeed, be faithless to the charms of the sliding-scale, to which, he thought, they were so indissolubly wedded. He was, indeed, surprised to hear his noble Friend talk of the simplicity and consequent superiority of a fixed duty as compared with a sliding-scale. He had heard it certainly with extreme astonishment after what he heard from his noble Friend last year. But, unluckily, the benefit that might be derived from such a measure was entirely neutralized by two circumstances; first, the fixed duty was a great deal too high; and next, it was to be raised in a manner which he did think was really quite preposterous. If they were to tax the bread of the people of this country the revenue ought to go into their own treasury. Was it not natural, that those who paid the tax should profit by it? But before he entered into that, he would return to the calculations of the House of Assembly. He had said, that he did not assume the correctness of those calculations, nor did he; they clearly contained an exaggerated estimate. It was quite evident that the committee had made out their case with a view to satisfy the hon. and learned Member for Dorsetshire, and other Members on that side of the House; they knew, that from them they had to fear opposition, and they therefore coloured their case rather highly to meet the views of the friends of agriculture here. But, at the same time, it was perfectly clear, that the Canadian route, did very considerably raise the price of Canadian produce. Whenever the average price of corn in this country was such as to enable corn to come direct from America, it always did come direct from America and they found that when it could come in at 55*s*. the amount of importation was very small. He wanted to know if they were to allow American wheat to come in in this manner subject to a fixed rate of charge? if so, ought not that charge to be imposed in the shape of duty raised in our own ports, allowing the wheat to find its own way in the most natural manner? It was American wheat they looked to consume; and, if so, was it not common sense that it should come by the direct route, and the tax be raised in this country? It was a general principle that those who paid a tax should have the benefit of it, and surely there was nothing in the relative situations of Canada and this country which should intervene to prevent that general principle being carried out. Canada was the lowest taxed country on the face of the earth. Already this country eased Canada of her principal burthens; almost the whole of her military establishment, part of her clerical establishment, and the whole expense of a naval establishment she was relieved from. In this country, on the other hand, he was afraid no man could say, we were so lightly taxed; we had not so much to complain of as some gentlemen seemed to think, but he could never say that this country was lightly taxed. From whom were those taxes raised? In a great degree from the labouring population of this country, for a large proportion of them fell upon those articles of comfort, necessity, and luxury, which were consumed by the great body of the people. But more than that, the Government said their financial necessities compelled them to keep up taxes limiting the employment of the people. There were, for example, the taxes upon coal and upon wool, which went far to destroy two thriving branches of trade. They were taxes which only produced about 200,000*l*. or 300,000*l*. a year, a sum which would be more than compensated if they would allow American corn to come direct to this country. Let them calculate what would then be the expense—conveyance by Canada, 9*s*. or 10*s*.; duty proposed to be levied, 3*s*., and 1*s*. levied here—and let them make of that aggregate a fixed duty, and impose it on the importation of American corn direct to this country. They would then have a sum which would enable them to relieve the labouring population of this country of those taxes which pressed most heavily upon them. And he asked with what justice that could be refused, looking at the relative position of the English and the Canadian labourer? It was only yesterday he received a statement, which his noble Friend had very properly directed to be circulated, showing the state of things in the British colonies in Upper Canada, and he found from that document that the farm labourer there received 2*s.* 6*d.* currency, or rather more than 2*s.* sterling, with his board and lodging, for his day's work. Let them compare that with the condition of the labouring men whom his hon. and learned Friend the Member for Dorsetshire might see on his own estate, earning 9*s.* a week; and then he would ask, was it just to allow the British labourer to consume American wheat, subject to a certain charge imposed in such a shape that it should go to benefit the Canadian labourer, already well off, and not to benefit the English labourer? He would beg of the House to look at the inconsistency involved in this measure. Such was the inequality of the two labourers, that it was one of the greatest boons that could be conferred upon an English labourer to afford him the means whereby he might be enabled to rend asunder the ties that bind him to his native land and the relations of his youth, to encounter the perils and hardships of a long voyage to a distant land, with all the difficulties of establishing himself in a new and unknown country, in order to place himself in the position of the Canadian labourer. And yet in that state of things they proposed to impose a tax upon the English labourer, and say that it should not go to relieve him by diminishing the price of the articles of his consumption or extending his trade, but should go to increase the revenue of Canada. Was that just or reasonable? It was unjust to divert the revenue they might raise by this charge upon corn from the British Treasury; it was equally unjust and absurd to raise the price still more by the useless expenditure of money and labour in bringing American wheat into this country by the most expensive and difficult route. What was it but a gratuitous waste of money and labour! He could not but express his astonishment that a measure of this kind, allowing the people to receive American flour in the manner only which added to the expense of conveying it to them, should come from Gentlemen whom he had heard discuss so learnedly and so well —the great advantage of making labour productive by removing all artificial restrictions—from Gentlemen who had told them of the impolicy of establishing such a system, and who were agreed that the principles of free-trade were the principles of common sense. For his own part, the proposal appeared to him to be worthy of that statesman who once gravely informed the House that workhouse paupers might be advantageously employed in digging holes one day and filling them up the next. He could understand such a measure coming from a Gentleman like that who thought it desirable to create useless labour, but coming from hon. Gentlemen opposite it did seem ludicrously preposterous. But even that proposition, shocking as it was, was not so revolting to common sense as the present proposal of her Majesty's Government. Then there was a redundancy of labour—there were labourers here that we did know what to do with—but that was not the case with Canada; in Canada there was no deficiency of profitable employment. Canada possessed one of the richest soils of any country in the world; she had by nature almost unexampled facilities of internal communication, and she possessed a mild and temperate climate. What was there wanted to render all these great national resources available?—nothing but the judicious application of labour and capital; and he would say, that if they were properly applied with energy and spirit, Canada could not fail to advance with giant strides in the career of wealth and civilization. And how did the Ministers now propose to assist her? By establishing that artificial system which would divert the labour, industry, and capital of Canada from their natural and profitable employment, and by bolstering up that artificial trade by placing restrictions upon the introduction of American wheat into this country. What would be the consequence of this as far as Canada was concerned? They all knew that the existing Corn-law —it was not owned distinctly on the other side of the House, but no one who had heard the debate on a recent question but must have felt convinced of it—could not continue. Its existence might perhaps terminate in the first, or perhaps in the following year. It was just possible, but he thought it was highly improbable, that its life might be extended to an equal duration with the preceding measure of 1828. That was the most favourable view he had heard any Gentleman take of its prospect of longevity. However, when that act should be swept away and gathered into that lumber of old, absurd, repealed measures, what would be the condition of the Canadian merchant who, by the measure the House was called upon to sanction, had been induced to invest his capital in extensive mills for grinding corn, and in making arrangements for forwarding flour to this country? In his opinion the Canadian would have a very good claim upon the Government of this country for compensation. And he could not help thinking that hon. Gentlemen who attached the same importance that he did to the principles of free trade and to the repeal of the Corn-laws, would do well to think twice of the consequences before they supported the proposed measure. But with respect to Canada, he must say, he thought that by far the most injurious part of the measure was that which had been adverted to by his right hon. Friend the Member for Taunton, viz., that it was the commencement of a system of protection in Canada. No doubt there was a strong party in Canada in favour of protection, as there was a strong party here; no doubt that fallacy had currency in Canada, as it had currency here; and one great objection to the measure was, that it gave sanction to protection in the face of the world. But till his noble Friend threw his weight into the scale, that belief was not in the ascendancy. His noble Friend in writing to Sir Charles Bagot had made this statement,

> "Looking back to the proceedings of last Session, I find that such an impost was considered, and ultimately rejected."

The Assembly of Canada rejected the proposition of a duty upon American corn, till they were induced to adopt it by the bait held out by his noble Friend, when he said to Sir Charles Bagot,

> "If you tax American corn, we will let yours in free to England."

He was not surprised, then, at the report of the committee of the House of Assembly. One main object of this act was, not merely to obtain an advantage in the markets of this country, but also to build up that most fatal system of protection in Canada. Let them look at the statement of the committee of the House of Assembly. They said,

> "One of the sterling advantages which this measure confers on the Canadian grower is, that though he cannot, for reasons already assigned, compete successfully with the growers in England, still, he would realize the home market as well as that of British North America, from which he has hitherto been too successfully excluded by his more fortunate rivals."

The House would see, therefore, from that statement, that one of the main objects was not merely to secure the English market, but also to tax the Canadian consumer and the consumer of British North America for the benefit of the Canadian grower, and to build up a system of protection in Canada. And now he really did hope that the right hon. Gentleman the Vice-President of the Board of Trade would explain how he could defend such a proposition on those principles which he had so ably stated in that House. Why did the grower in Canada want protection, and against whom? Was he more heavily taxed than the American grower? No such thing. On the contrary, this country paid for him many of the burthens which fell upon the American. Had he a worse climate than the American? Not at all; as a wheat-growing country, Canada yielded to no country in the world in soil and climate. Why, then, on the showing of the Government, did he require protection? It could only be from some deficiency in his skill in cultivation; and did they think that it would be for his interest, or for the interest of the great colony in which he lived, to encourage him in those habits, and take from him the stimulus of competition? The right hon. Gentleman ought to have considered that he had this question to defend when he spoke upon the Corn-laws, because every argument which her Majesty's Government made use of to maintain the Corn-laws failed when applied to Canada. Where were the exclusive burthens upon the Canadians? They had not even the duty on bricks, which the hon. Baronet the Member for Kent, to his amazement, and by a strange process of reasoning beyond his comprehension named as a peculiar burthen upon the agriculturists. For his own part, he always thought bricks were more used in the erection of factories than in the cultivation of corn, and he remembered that rough and drainage tiles were exempted from duty. Not even that fell upon the Canadian grower; nor the duty upon malt, which the right hon. Baronet at the head of her Majesty's Government had discovered by a new light since 1834, fell upon the grower and not the consumer. No they had no exclusive burthens, nor had they the vested interest of a sinecure. The Canadian landlord, luckily for himself and the community, was not a sinecurist, though they endeavoured to make him so. He found a statement upon the papers which his noble Friend had produced from the Quebec Board of Trade; it stated that formerly foreign wheat and flour had been permitted to be imported into that country free of duty, and that by far the greater part consumed had been so imported. That was the state of the case. Canadian agriculture was flourishing, and the Canadians were carrying on a valuable transit trade in American produce—a trade it was to be remembered, employing an immense number of persons engaged in the navigation of the rivers and lakes, and whom it was the highest policy in the British Government to encourage, because if ever we should be engaged in another contest with America, the issue, it was well known, must depend upon the aid we should derive from the hardy population connected with that navigation. Well, then, it was this flourishing trade that they now proposed to cut up by the roots for the purpose of encouraging Canadian agriculture, which, upon their own showing, did not require it. His noble Friend said, that it was not a fiscal but a colonial and political question. He agreed with him. He believed the expense of bringing corn through Canada would be so great that the quantity we should receive would be trifling, and, as regarded the consumers in this country, he was of opinion that it was a measure of very little importance. But, as a colonial and a political measure, it was one of the deepest mportance—it was one that would lay the foundation in Canada of a system from the incubus of which it had hitherto been free—that of protection. It was a measure that would destroy the valuable trade that was going on upon the rivers and lakes—a measure that would materially interfere with the intercourse between British America and the United States, and one that would deprive them of the power of defeating the absurd provisions of the American tariff. Those were the objects of the measure, and it was not as affecting the interests of this country, but as affecting those of Canada, that he gave it his decided opposition. But really the measure was so completely void of all consistency, that there was no point of view which he could look at that he did not find equally objectionable. His noble Friend said, that he had introduced the measure, because it was politic that the trade with Canada should form an integral part of the trade of this country. If that remark applied to Canada did it not equally apply to New Brunswick? His hon. Friend the Member for Taunton asked was it just and reasonable to give to Canada—separated by almost an imaginary line from New Brunswick—a boon that you refused to the latter country. If the Legislature of New Brunswick were to pass an act similar to the Canadian act then under discussion, could her Majesty refuse her Royal assent to the Act, or could her Majesty's ministers refuse to come down next year and propose resolutions like the present? They might talk of preventing smuggling, between America and Canada, but how could they prevent it between Canada and New Brunswick? And then they talked of treating Canada as an integral part of this country. He was surprised that his noble Friend could keep his countenance—that he did not laugh himself when he was urging such an argument. If they were to put Canada on a footing with this country, why not destroy the boundary altogether—why not let them have the benefit of the sliding-scale? He was sure there ought not to be the 3*s*. duty. There should be a fair trade between her and this country, and she should have the benefit of the sliding-scale on her own frontier. More than that —she should have the benefit of all other taxes. What, however, did the Canadian Legislature propose to do with reference to the duties on British manufactures? They did not say—"If we have our corn admitted free into Great Britain, British manufactures shall be admitted free of duty into Canada." They did not say that; but the words of the Legislative Assembly were—

> "We will take the earliest opportunity of recommending the removal of all duties at present imposed upon the manufactures of the mother country when admitted into Canada."

So that we gave them the benefit of being an integral part of this country, but they would not confer on us a similar advantage. He hoped the right hon. Gentleman at the head of the Board of Trade would recollect what he had spoken with reference to the necessity of reciprocity. He said we were not to take off duties upon foreign produce admitted into this country till foreign nations took off the duty on our manufactures. He begged to recommend that principle of reciprocity to the consideration of the House. The Canadian Legislature had, it was true, made a promise, but they all knew what such promises meant. Such, then, was the measure they were then called upon to decide. His noble Friend opposite said, that the act of the Canadian Legislature and the resolutions he proposed must stand or fall together. He said if the House would not agree to the resolutions, the Ministers of the Crown would not advise her Majesty to assent to the Canadian Act, and he likewise told the House that if the Canadian Act had not passed he should not have proposed these resolutions. The measure, therefore, must be considered as one, and on the principle of the whole arrangements it was that the House was called upon to pronounce an opinion, and it certainly did appear to him that his right hon. Friend had raised the question in the fairest way. Once more, he could not help expressing his regret and astonishment, after all he had heard of the principles of free-trade from the right hon. Baronet opposite, that such professions should end in the proposal of such a measure. It was a measure which was inconsistent with the principles that the Government had laid down, and it was calculated to be deeply injurious to the welfare of Canada.

Mr. *Liddell* said that the interest which this question had excited was not greater than its own intrinsic importance demanded. He supported it, in the first instance, because Government had introduced a system of colonial policy which was in many respects new, and which, in the same proportion that it had excited the opposition of the noble Lord, secured his support. The right hon. Gentlemen, a late Member of the Government, in arguing against the measure, had given a number of reasons why he considered the proposition of the noble Lord objectionable. It might be sufficient to say in answer that the Legislative Assembly of Canada had passed, by unanimous vote, a bill in compliance with the wishes expressed by Government, and had called on the Government at home to confirm the vote by a measure similar to that now brought forward. The hon. Member for Wolverhampton, in speaking of opening a free-trade with America, and throwing aside the protection which it was proposed to extend to the colonies, often expressed a desire to see the corn of America brought here in American vessels. Now he owned that the employment of the shipping interest actuated him powerfully in his support of this measure. If there were a considerable trade by American ships, it would, to that extent, diminish the trade of the ports of England. He held in his hand a return, from which it appeared that the number of British and foreign ships laden with corn, entered inwards at the ports of London, Hull, Newcastle, and Leith, from any ports of Europe, from the 1st of August to the 1st of October, 1841, were:—

	Foreign.	British.
London............	481	306
Hull	271	117
Newcastle..........	103	25
Leith	233	53
Being a total of....	1,088	501

Or, a good deal more than two to one in favour of the foreigner, all the ports of Europe being included. Again, he consulted a return of the number of ships laden with foreign corn, entered inwards at the ports of the United Kingdom, between Jan. 5, 1842, and Jan. 5, 1843, specifying the ports of lading and the ports of discharge, and whether the ships were British or of any other nation. Here, although upon the whole the British shipping maintained a fair share of this carrying trade, he could not avoid being struck with the great preponderance of foreign vessels from the Baltic ports. As this return went into divers particulars, he would content himself with a general reference to it. But when he turned to the general returns, which were to be found in Porter's tables, of the number of ships with their tonnage, entered inwards and cleared outwards from the ports of Great Britain, distinguishing British from foreign, he found the following startling results in comparing the employment of British ships with that of the ships belonging to the kingdoms of Norway, Denmark, and Prussia, with whom reciprocity treaties had been concluded. He took only the returns of the years 1831 and 1840, premising that no additional consolation can be drawn from the returns of the intermediate years, and he found as follows:—

NORWAY.

1831.

Entered Inwards.			Cleared Outwards.		
	Ships.	Tons.		Ships.	Tons.
British	52	4,518	British	33	2,876
Foreign	754	114,865	Foreign	784	128,480
1840.					
British	23	3,166	British	16	1,732
Foreign	792	114,241	Foreign	775	114,662
DENMARK.					
1831.					
British	66	6,552	British	437	70,324
Foreign	748	62,190	Foreign	925	102,639
1840.					
British	56	6,327	British	545	92,621
Foreign	1,440	103,067	Foreign	2,157	207,112

PRUSSIA.

1831.					
British	487	83,905	British	303	50,792
Foreign	701	140,532	Foreign	395	80,852
1840.					
British	771	112,700	British	530	73,943
Foreign	1,338	237,984	Foreign	956	177,449

It appeared from these figures, that in spite of all our natural advantages—in spite of the great increase of our population, our enormous imports, and our augmented trade—the British shipowner was unable to compete with the cheaply-built, cheaply-equipped, cheaply-manned, and untaxed ships of the Baltic ports; that as far as the shipping trade was concerned, the ruinous results originally predicated of the reciprocity treaties had been fulfilled. Let them now turn to the trade with the North American colonies, and here they found a field open to British enterprise and British navigation. Here, at least, they possessed the privilege of exclusive trading; here they had protection; and the increase of British shipping engaged in that trade formed a gratifying contrast to the returns just quoted. From the same tables, he found the following returns, which showed that the employment for British shipping, had nearly doubled since 1831, going on with a steady and progressive increase:—

NORTH AMERICAN COLONIES.

	Inwards.			Outwards.	
1831.					
	Ships.	Tons.		Ships.	Tons.
British	1,758	480,236	British	1,804	437,338
Foreign	—	—	Foreign	1	522
1840.					
British	2,416	808,222	British	2,099	694,094
Foreign	—	—	Foreign	7	2,213

He therefore, called upon the House to support the Government in a change, which would increase the trade of the colonies and the employment of British ships. In his opinion, also, a demand would be created for our manufactures. It was not only from a feeling that the interests of our North American colonies were best consulted by the measure brought forward by the noble Lord, and in favour of which we had the double evidence of the opinions of the Legislative Assembly and of her Majesty's Ministers, that he supported it; but he also supported it on the very grounds on which it was objected to by hon. Gentlemen opposite—viz.: that it was an increase of protection to British interests. However much hon. Members might talk of free-trade, protection to British interests was yet popular in this House and in the country; a large majority of the House and of hon. Gentlemen opposite were in favour of protection, as well as a large majority of the population. He regarded this measure as a stay and strengthening point in favour of the present system of the Corn-laws, which he had always supported not only because there were certain burthens on the land, and that the large amount of capital vested in agriculture was entitled to protection, but because it could be demonstrated that under the present system of protection, a constant, regular, and cheap supply was given to the consumer of this country. That was the strong ground on which the Corn-laws were to be supported, and on that ground alone would he consent to support them. If this measure passed you enlarged the area from whence you derived your supplies. Under the fostering protection which this measure afforded, we might turn to Canada for a supply as unlimited as the increase of the population of this country would require. On these grounds the measure ought to be supported by those hon. Members who were devoted to the cause of British agriculture. But the hon. Member for Dorsetshire had suggested that it should be referred to a select committee. After the explanation of the noble Lord, he could not comprehend how any one could propose the delay of a select committee. What were you to gain by a select committee? The capabilities of Canada were boundless, and as the demand for her produce increased, so would the interchange of her corn with our manufactures increase. A great deal had been said about smuggling. He was content to leave that to the Canadians themselves whose deepest interests were concerned in maintaining inviolate their frontier. He was willing to admit that this measure was proposed under somewhat unfortunate circumstances, at a period when great doubt and uncertainty prevailed among the agricultural interests. The agriculturists of this country were extremely susceptible of first impressions; they saw that prices were this year in a state of unusual depression, and they, somewhat hastily, jumped to the conclusion that this depression was occasioned by the alteration in the law adopted last year; but under the old Corn-law, with a greater amount of protection than was now afforded, the price of agricultural produce had been much lower than it was at present; and he would almost venture to predict that under certain circumstances which might arise before long—if an increased demand arose for manufactures, which would give a stimulus to the productive interests of the country—the value of agricultural produce would be materially increased. He admitted, then, that this was not the most fortunate time for proposing such an alteration; but he thought that the conduct of certain parties, who, instead of endeavouring to allay the unfounded alarm of the agriculturists, had adopted a course calculated greatly to increase it, was deserving of the strongest censure. In every other respect, except that of time—and even that was not left to the discretion of Government—he conceived that Government were entitled to the greatest possible praise. They had followed out their principles in the measures they brought forward, and they were entitled to praise for the way they had acted. So far then were hon. Members from being justified in attacking Ministers for their inconsistency because of giving a preference to a fixed duty over the sliding-scale on Canadian corn, that he felt astonished at the remarks of the noble Lord opposite. He asserted that the Government in this proposition, as in all the others they had brought forward, were entitled to the highest commendation. If, in some portions of England, apprehension had been created by this proposition, he had the satisfaction of stating that in those northern parts of England which he was connected with, the agriculturists had never expressed the smallest uneasiness as to the measure. They were quite willing to leave it in the hands of Government, and to acquiesce in every other measure which Government might choose to introduce for the benefit of our colonies or the security of our empire. These, amongst other reasons, induced him to call on the House, if they desired power to remain in the hands which now wielded it, or if they were alive to the state into which this country would be plunged if an unfortunate change in the Ministry took place—the complete social and civil revolution that would ensue—these reasons urged him to counsel the House not to be carried away by any vague notions of ill-founded alarm, but to give their support to the motion of the noble Lord the Secretary for the Colonies.

Mr. *C. Buller* said it could not be denied that hon. Members had imparted some variety to the debate, and the course which he intended to adopt might add to the variety, for it was at variance with that pursued by most hon. Gentlemen on his side of the House. It was almost impossible to judge what course several hon. Gentleman who had spoken during the debate intended to take on this question, and in what manner they intended to vote. Among the country Gentlemen who had addressed the House, the hon. Member for Somersetshire (Mr. Miles), had, imitating the example of Canute, declared to the Government—"Thus far shall you go, and no further;" but the tide of Ministerial influence still rolled on up to his very feet, and threatened to overwhelm him, and his faithless courtiers seemed to have been dispersed by the fury of the storm. He (Mr. Buller) meant, as a free-trader, to give his support to the measure proposed by the Government, though he certainly could not characterise the address of the noble Lord who had introduced this measure as a free-trade speech. He would state to the House the grounds upon which he conceived that the friends of free-trade ought to give their support to the proposal of the noble Lord, and vote against the motion of his right hon. Friend. When it was proposed last year, in the duties on colonial produce, to impose a duty upon American wheat, he strenuously opposed the proposition; and, if such a proposal were now brought forward in the same manner, he would still oppose it. That measure was proposed merely to afford protection to the Canadians—to prevent the importation of American wheat into Canada; and he objected to it on the ground that it established a restrictive system in Canada. He thought it was exceedingly impolitic to place such restrictions upon trade with the United States; and he would object to the proposal on the same ground now, if it was not brought forward in a mode which deprived it of its restrictive character, and as it seemed to him conferred a boon upon the people of Canada and of this country. It was proposed to impose a new duty of 3*s.* upon American wheat imported into Canada; while upon all wheat in the shape of flour imported from Canada into this country, the duty was reduced from 5*s.* to 1*s.* Now, the main question for free-traders to consider, was, whether this change in the law would in fact increase or diminish the duties in the importation of American wheat. As an hon. Gentleman near him observed, they were adopting a sliding-scale; and he (Mr. C. Buller) entirely concurred in the views of the operation of the sliding-scale which had been taken by the hon. Members for Rutlandshire and Dorsetshire. He had gone, with some care, through the calculations which had been laid before them in the reports of the Canadian legislature, and it seemed to him that some extraordinary confusion had taken place in those calculations. He had, therefore, taken the figures and added them up for himself; and the result at which he arrived was this,—that the present law imposed a duty of 5*s.* upon Canadian wheat and American wheat imported through Canada. The noble Lord the Member for Sunderland (Lord Howick) said, that by the papers laid before the House, it appeared that there was a difference of 9*s.* between the cost of transit by the Erie canal, by way of New York, and the cost of transit by the St. Lawrence, including the 3*s.* duty. He (Mr. Buller) found that it was stated in the first sentence of Appendix, No. 5, that the cost of transit on a barrel of flour by the Erie Canal was 3*s.* 1½*d.* less than by the St. Lawrence. A few lines further it was stated:—

> "After the completion of our communications a reduction will be made in the transit, of 2*s.* 6*d.* per barrel."

These communications would be completed this very summer, and they might, therefore, calculate on this reduction of 2*s.* 6*d.* in the transit coming into operation immediately on the law being adopted. In comparing the measure now proposed by the Government with the law as it at present stood, he would view the present duty as a fixed duty of 5*s.* upon all wheat imported into this country from Canada. It was now proposed that a duty of 1*s.* per quarter should be imposed upon all wheat of Canadian growth imported into this country. He would say, then, to the free-trader, "Here you obtain a considerable advantage." Then it was proposed to impose a duty of 3*s.* upon American wheat brought into Canada, which, when ground into flour, might be imported into this country at 1*s.* per quarter. If, therefore, they deducted this sum, 4*s.*, from the present duty, 5*s.*, there was an advantage gained to the consumer of 1*s.* per quarter. He did not mean to contend, that this was any considerable advantage; it was, indeed, a very small gain; but he did not think that hon. Gentlemen opposite need entertain much alarm at the reduction of 1*s.* per quarter in the duty on American flour, while the free-trader could not object to gain this reduction. It was said, however, that the average duty had been 2*s.* 1*d.*, and the very same argument had been advanced by hon. Gentlemen on that side of the House against the proposal of the noble Lord the Member for the city of London (Lord J. Russell) for an 8*s.* duty. Hon. Gentlemen said, "The average has been 5*s.* 9*d.*; how cruel, then, of the noble Lord, to raise the duty on corn from 5*s.* 9*d.* to 8*s.*" That argument was, however, treated with perfect contempt; it was said that it was absurd to measure the operation of the sliding-scale by the average amount of duty, and that the virtue of a sliding-scale consisted, not in the duty that was collected, but in the duty that was never paid—the duty which was so high that it prevented importation altogether. He had shown, then, that on every quarter of colonial wheat there would be a gain to the consumer in this country of 4*s.* a quarter, and on every quarter of American flour they would gain 1*s.* He would call upon them now to view this question in its bearing upon the interests of the Canadians. It had been objected to the measure of the noble Lord, that it would establish a protected interest in Canada, and that its effect would be to raise the price of provisions in that country. He thought that they might allow the Canadians, who were so strongly interested in the question, to be the best judges on this point; and to all the arguments grounded on the injury which it was argued this measure would inflict upon the Canadians, he simply answered, that the Legislature of Canada had passed this bill. But it was said, "It is the agricultural interest of Canada which has passed this bill." He might reply, that putting the town members out of consideration, the whole province of Lower Canada could have no interest in the question. It did not grow wheat enough for its own consumption, and therefore its interest must be in favour of free-trade; but it had joined in sanctioning this measure. But how did this measure stand as one of free-trade or restriction? Nothing could be more pedantic or childish than, when a practical question of this nature was raised, to endeavour to detect some principle to which they were adverse, and to oppose all amelioration because it might imply the recognition of a principle to which they were opposed. He called upon hon. Members to deal like men of common sense. All their talking about principle would not shake the determination of the majority of that House to keep up a protective duty against the importation of foreign corn. This question was settled for the present [*" Oh"*]; he repeated it — it was settled for the present. The majority of that House had determined to maintain a protective duty, which, to a considerable extent, excluded foreign grain from the country. " Then," said the Canadians, " We do not care whether you have Corn-laws or not, but you have determined to exclude foreign wheat; and all we ask of you is, that you will not treat us as foreigners, but that you will admit our wheat as if it were the produce of England." The Government, representing the majority which had determined to maintain the Corn-laws fairly said— " We shall be quite ready to admit Canadian wheat; we are ready to extend to Canada the same principles of free-trade which we recognise in any English county; but we must take care that foreign wheat —American wheat—is not smuggled into this country, and imposed upon us as Canadian produce. Give us some security that you will protect, not yourselves, but the English agriculturist, against the introduction of American wheat, and then we will admit your corn at a nominal duty." He thought, the question had been fairly put to the Canadians—they had the option of adopting one of two courses: they were told, " If you wish to have free-trade with England, you must submit to something analogous to our own Corn-laws to prevent the importation of American corn; but if you do not submit to those restrictions, we can make no alteration, and you must continue to pay the present rate of duty." This question had been put to the Canadian Legislature, and they had preferred free-trade with England to free-trade with the United States. Suppose a fortification was in course of erection round a considerable tract of country, and that the inhabitants of a village in the vicinity of this fortification, who would by its erections be excluded from their customers, said to the authorities, " Do not exclude us from your fortifications; include us within them, and we will submit to all inconveniences for the sake of retaining our trade with you." Such was the case with the Canadians in this instance; they had their choice between two restrictive systems; they chose free-trade with England, and he must say he did not think they had adopted an unwise decision so far as their own interests were concerned. He thought they had formed a wise and prudent determination, and one which would prove most advantageous, as well to the people of this country as to themselves. He would put it to his right hon. Friend and to the noble Lord, with whom, he was sure, he could not differ in principle on a question of this nature, whom did they mean to benefit by thus thwarting the Government measure? Was it the British consumer? No; because the proposition of his right hon. Friend, if carried into effect, would deprive the British consumer of the benefit of 1*s.* reduction in the duty. Was it the Canadians? No; for, by the proposition, they flew in the face of the Canadian Legislature, who were the best judges of what was for the interest of the Canadian people, and who had unanimously passed the measure of which the Government measure was the complement. With such opinions, then, he could not but adhere, on this occasion, to the general principle which he had laid down for himself, that it was not for the House to interfere between a law as passed by the Canadian Legislature and the sanction of the Crown. He would not enter into the question of etiquette and dignity between the two Legislatures, and of the passing of acts by the Canadian Legislature contingent upon the sanction of the Parliament here. The Government had now announced a measure which was no part, it was true, of the measure of the Canadian Legislature, but which in fact formed the ground on which they were induced to pass their measure. It would be with the greatest reluctance on any occasion that he should consent to address the Crown to place its veto on a measure passed by the Canadian Legislature, and he could not now depart from that general principle with reference to a measure which he was convinced would be of the greatest advantage to the people of both countries. But there was one objection to the measure of the Government which he would notice—namely, that the duty was to go from the pockets of the people of England to enrich the people of Canada. Those who thought corn to be the fairest subject for a portion of revenue to be raised out of could not fairly make this objection, and at any rate he thought that the people of England should not be made to imagine that a duty was raised by the state out of the price of their bread. But if the proposed law left the price where it was, the only consequence would be, that we should pay a part of that price to the people of Canada, and he had just as soon that the Canadian Legislature should eke out their scanty finances by this means, as that the money should be paid to our landlords. In fact, there was a great advantage in allowing the Canadian Legislature to recruit their finances by this means. The whole argument of the opponents of the measure was a dog-in-the-manger argument; because as we, in this country, got no revenue from American corn, it was grudging the Canadians that which we would not take ourselves. In fact, there was no ground for opposition to the Government measure on the score of the poverty of our revenue; because the Canadian Legislature had given a pledge for taking off the duty on British manufactures imported into that country, and it would be greatly for the advantage of Canada to take off those duties. At least as one argument for allowing this duty to go into their revenue, they held out a ground for hope that it might lead to a material reduction in their duties on the importation of British manufactured goods. That was very material and important to our commercial relations with Canada. He had thought it necessary to address himself at some length—he feared at too great a length—to the House, because, having viewed the question in a commercial British and Canadian point of view, he was unable to agree with his right hon. Friend and the noble Lord in their views of the question, and so far from looking upon it as being derogatory from the principles of free-trade, he considered it as adopting and carrying out those principles.

Mr. *Roebuck* said, that the House had already been treated with the peculiarities of hon. Members; but he should emulate all in peculiarity, for he not only differed in opinion from his hon. and learned Friend who had just sat down, as that hon. Gentleman differed from all who had preceded him, but he differed also from all others at the same time. This question as it now stood had assumed, he thought, a constitutional character. On this occasion he should vote against the motion of the right hon. Gentleman the Member for Taunton; though hereafter he should also oppose the motion of the noble Lord (Lord Stanley). He objected to the mode of interfering with the royal prerogative which was proposed, and he very much doubted whether if he had brought forward such a motion, when arguing on behalf of the Canadian people, he should not have had strong opposition from hon. Gentlemen on his side of the House. If the right hon. Gentleman wished to defeat the measure of the noble Lord, he was prepared to go with him, but he would not seek to gain this object in a manner, offensive to the Canadian people. They had given to Canada a legislature, and the Crown possessed the power to veto or sanction any measures which it should pass. This was a state of things sanctioned by act of Parliament, and there must be a great, important, and serious ground laid for their entertaining a motion such as that of the right hon. Gentleman, before they went to the Crown and asked that the prerogative vested in it by the Legislature should not be exercised. Had such grounds been laid? He contended that, looking at the question as a mere matter of constitutional law or of policy, as regarded the people of Canada, the amendment was improper and offensive to the people of Canada. He did not want to make this a party question; he was prepared to argue it on its own merits; he should oppose the proposition of the right hon. Gentleman, but when the time came he should also oppose the measure of the noble Lord, and he hoped successfully. Upon the economical part of the question, he was prepared to argue the case upon a comparison between the existing law and that which was now proposed, and he would assert, on his own responsibility, that not only did not Lower Canada grow more corn than was sufficient for itself, but that it hardly grew any at all. There was hardly a wheat field throughout the country in Lower Canada that had at all repaid the labour which had been bestowed upon it, the fly having utterly destroyed the whole of the crops during the last five years; and it had now come to this point, that they were discussing among themselves whether a law should not be introduced to prevent the sowing of wheat in Lower Canada, in the hope of killing out the fly. He defied contradiction on this point. Then this was the state of the case. There were in Lower Canada three-fourths of the population of the whole colony, and they did not produce sufficient corn for their own support, but must actually import corn from America. Under the present law corn was imported duty free; and he asserted that it would be utterly impossible by any system of certificates to ascertain from whence the corn came which should be introduced into this country. If his hon. and learned Friend would refer to the return, he would see that the duty last year was only 1*s.* 11*d.* Last year corn was lower in price in Canada than it had been at any period since 1834-5, the returns, as he had just said, the average rate of the duty on Canadian flour was 1*s.* 11*d.* Now was it any advantage to the English consumer that the import duty should be increased from 2*s.* to 5*s.*? If, then the import duty was 2*s.* now [An hon. *Member*: "No, no."] It would not do to say "No, no," because he referred directly to the figures in the return [*Mr. Hume made an observation*]. His hon. Friend the Member for Montrose, who was always correct to a halfpenny, had corrected him, and he found that the duty was 2*s.* 1*d.* Again, the hon. Member said that corn would be smuggled from America into Canada, and that this corn would come from Canada. Now he would say this—that Canada exhausted all the corn she grew herself, and would not get this 4*s.* duty on all exported. He should like to have it explained to him how, when a nation bought and exported corn with a 3*s.* duty, that it could be said that the purchaser did not pay that duty. He did not think it could be explained in any other way. He felt that the noble Lord's bill was a capital landlords' bill, and he was astonished how it could excite any one for a moment on the other side of the House, and he wished that the alarm of hon. Gentlemen rested on some more stable foundation. The noble Lord wished to levy a 4*s.* duty in the place of one of 2*s.* 1*d.* The noble Lord said, that he was going to put on a 4*s.* fixed duty, which would be about equivalent to the present sliding-scale. His hon. and learned Friend differed from this statement, and said that it was equivalent to a 5*s.* duty, but the return only gave an average duty of 2*s.* 1*d.* He was not then going into a dicussion of the sliding-scale, for they might have a very good argument across the Table between the opposite Benches, he therefore should leave that matter to the right hon. Gentleman sitting there. One great peculiarity of the noble Lord's measure, with regard to this country, was, that there was no one to interfere with flour coming into Canada at present, but it was brought in, and would continue to be brought in and mixed with the produce of that country; and the result was that American corn was really introduced, and would continue to be introduced as Canadian corn, into this country. Under this bill persons would be set to watch, so as to prevent the introduction of American corn over the frontier without the payment of the duty. Some, no doubt, would be caught; but a great deal would not be caught, and a great smuggling trade would be created, and all the enormities of such a trade would grow up. Along the whole of the American frontier there was no important impediment. There was a capital river also running from Lake Champlain, and it was impossible to prevent corn coming from that quarter. But by this measure, you would make the people commit criminal offences, not only at Montreal, but all along the frontier, and he would ask whether this was not a very grave and serious matter? When they touched the river St. Lawrence, there was a small part full of rapids, but as soon as they came to the town of Prescott, they got into a smooth stream, which he had repeatedly crossed in a bark canoe, in an open boat, and by other means. For some months in the year, the river at that spot was as flat and as hard as the table, and it would bear with ease loads of corn passing over, and therefore he said, that they were creating a smuggling trade which it would be impossible to put down. The chief portion of corn that would be introduced would come from the state of Tennessee, and would be carried across Lake Ontario, and there, again, smuggling would be created with all its attendant evils. He therefore should oppose, as connected with Canada, the bill of the noble Lord; and he should also oppose on the ground that he had stated, the resolution of the right hon. Gentleman. And here he must express his surprise at the language of the right hon. Gentleman, the President of the Board of Trade, and the hon. Gentleman the Member for Stockport, both of whom had stated, that if we had a free-trade, we should obtain great quantities of corn from the Mississippi. Now, the experience of the last few years did not tend to confirm this opinion or to lead any one who looked into the subject to expect much corn from America. The truth was that the greatest exaggerations had been uttered on this point. As far as American corn was in question, why, he would ask, had not a much larger portion been brought from Canada, for nothing could be safer than sending it from Tennessee into Canada and down the St. Lawrence? The reason was obvious, because the price could not be obtained that was demanded for it, including the cost of carriage. Therefore, before hon. Members frightened the farmers, they should make themselves acquainted with the fact, that you could not get corn one iota cheaper in consequence of the quantity likely to come from America. His hon. and learned Friend had said, that corn would come from Upper Canada in consequence of the improved communication that had been made down the St. Lawrence, by the completion of the canals and other means. He wished his hon. and learned Friend joy of his discovery; but although this country had expended large sums on these canals, no great improvement had taken place, and we might give millions without producing any great change.

Mr. *Gladstone* said, that it would be a most difficult task to endeavour to reconcile the various arguments and inconsistencies which had been urged against his noble Friend's proposition in the course of this evening; and certainly he thought that it might vie in this respect with any discussion which had taken place for many years. Gentlemen who had spoken in opposition to the measure had literally fulfilled their pledges to oppose it, and no two of them appeared to agree together in their grounds of objection. He would proceed to deal with some of the objections that had been urged against this measure of her Majesty's Government. And, first, with respect to what fell from the right hon. Member for Taunton, who commenced his speech with an observation which, if well-founded, involved a most serious charge against the government which introduced this measure. The right hon. Gentleman said, that his noble Friend the Secretary for the Colonies had represented that the Parliament were not free agents in this matter, but that its hands were tied and fettered, by the government arrangement which had already been made. His noble Friend was much misapprehended when he was described as giving utterance to such an opinion. It must be known to every one at all acquainted with the administration of public affairs in this country, that no one in that House, that no administration, could pledge Parliament to the adoption of any particular measure or course of policy; but he had understood his noble Friend to say, that the Government had given the people of Canada a pledge, and by that pledge, so given, the Government must abide. With respect to Parliament, it was clear that it could not be considered to be bound by the pledge of the Government, but it was for the House to say how far it would sanction that pledge on its own merits and on the grounds that had been urged by his noble Friend, and how far it had already been a party to sanctioning the principle involved in the measure. His hon. Friend the Member for Somersetshire, indeed, stated that something had taken place with respect to the introduction of a proposition of this kind in an interlocutory debate, and the hon. Member for Dorsetshire said, that there had been but a casual mention of the introduction of a Canada corn bill last year. But let him state to the House what was the casual mention of this subject. The hon. Member for Limerick made a motion for admitting Canadian corn, of which ample notice had been given, that motion was discussed, not in a thin House, or in one inattentive to the discussion, but in one where it excited considerable interest, and upon which he believed upwards of 200 members recorded their opinions. On that occasion his noble Friend declared, on the part of the Government, and it was recorded in the debates of that House, that if Canada would undertake to make certain provisions, with respect to the importation of American grain into Canada, the Government would take steps to recommend the Imperial Legislature to make a provision to entitle it to certain advantages as regarded the importation of corn, the produce of Canada, into this country. The Canadian Legislature had fulfilled the conditions proposed by the Government. No objection was made to their being proposed to Canada, when they were stated in the House, and it, therefore, was for the House to consider how far the expectations and anticipations which had been excited in the minds of the people of Canada less by the declaration of his noble

Friend than by the tacit assent of the House of Commons, should now be frustrated. The right hon. Member for Taunton, in a speech of which he admitted the general candour and fairness, stated his objections in detail to the measure. The right hon. Gentleman objected to the expense of custom-houses on the line of the American frontier, which, he said, would be required if the measure passed for imposing a duty on the importation of American corn into Canada. But he was sure that the right hon. Gentleman did not require to be told that custom-houses were already in existence in Canada on the American frontier, and that custom duties, to a certain amount, were now levied; no increase of custom-houses, he believed, would, be required in consequence of this measure. The right hon. Gentleman said it was true the Canadian Legislature had passed a bill, but that it was probable that in future there would be divisions of opinion in Upper Canada, and that there would be an inclination to recede from the enactment to which the Legislature had now assented. He would, however, request the House to notice this, that this measure had passed through the House of Assembly in Canada with the utmost cordiality, and indeed, unanimity, which considering the agitated state of party spirit in that country, was a most remarkable circumstance. The fact was still more significant and gratifying when they recollected that on a great many subjects the Canadian Legislature was divided into contending parties. Again, the right hon. Gentleman went into the question of smuggling American corn into Canada. He was surprised that any hon. Gentleman accustomed to public business should give currency, by such observations, to apprehensions that there could be any extent of smuggling in such an article as corn when the duty was as small as 3*s*. There was, however, a great difference of opinion as to the probable extent of this smuggling amongst the gentlemen who opposed the measure. The right hon. Gentleman who moved the amendment guarded himself against giving a decided opinion on the question; but still he said that smuggling would prevail, while the hon. Member who seconded the amendment said that any alarm on such a ground was perfectly chimerical. The hon. and learned Member who spoke last spoke of the facilities of carrying American corn across the St. Lawrence at Prescott. At the same time, however, that the hon. Member said this, he observed that there were no apprehensions to excite fear that corn would come in great quantities from that part of the country. Some persons also, who were connected with the revenue department in America, had told him that no corn was to be expected from the territories to the east of Lake Erie; but that from the great corn-growing states of America, namely, Ohio, Michigan, Tenesse, and Indiana, they might expect a supply, which would come through the Canadian canals and rivers on which there was every facility for levying the duty to Lower Canada. He had been assured by those who were entrusted with the collection of the customs in Canada, that they entertained no fears as to corn being brought into that country without paying the duty. But he might tell the hon. and learned Gentleman that no immaterial change had taken place in Canada since the hon. Member was in America, and that the customs establishment in Canada was now much improved. Some years ago there was great laxity in levying the customs in Canada, but the local legislature had paid great attention to the subject, and had established a sound system. A few years ago the whole amount of the customs duty paid on goods coming into Canada did not exceed 20,000*l.*; but they now amounted to 45,000*l.*, and this increase had taken place in consequence of an improved system of collection. He fairly admitted, that in calculating the probable extent of smuggling, it was impossible to adduce anything like demonstrative evidence on one side or on the other; but the same conditions which governed trade in other respects would apply to the trade in corn. It was clear that corn would not be smuggled except in proportion to the profit it was likely to realise; for the smuggler had no hostility to the landed interest which would induce him to sacrifice his own gains. Now, how was the smuggler to be governed in his choice of the articles which he should smuggle? By the amount and value of the article in proportion to its bulk. With a population favourable to the law and friendly to the duty, which was the best security for any revenue law, let the House reflect whether there was any considerable amount of duty which the smuggler would save. He had just stated that the amount of custom duties paid on other articles than corn in Canada was 45,000*l.*, what impediment was there to put the importation of corn into Canada under the control of the Custom-house there. Every one must be well aware that corn was one of the most difficult articles to smuggle, as its bulk was enormous when compared to its value. Now, take the case of tea imported into Canada. He understood that the most sanguine anticipations were entertained there, that under the present arrangement a complete stop would be put to the smuggling of tea over the American frontier into Canada. There was formerly an enormous duty on that article, which was reduced by the law of last Session to a comparatively small one. At present there was a duty of 1*d.* per pound imposed by the general Government on the importation of tea, and a small additional duty was imposed by the colonial legislature. The import duty on 480 lbs. of tea would amount to 2*l.*, and if it were practicable, as he believed it was, to levy this duty of 2*l.* on this bulk of tea, why was it not practicable to collect 3*s.* on the importation of a much larger bulk of corn, and at the same time to prevent its being smuggled. He, indeed, should like to know how there could be a smuggling trade in corn, under any fiscal regulations that existed. They had never found an instance of corn being smuggled into Canada when there was an 8*s.* duty on its importation over the American frontier, and if they had found no instance of an evasion of the fiscal law as regarded this article, when the customs establishment in Canada was so much less efficient than it was at present, he would ask—was any increased danger of smuggling to be apprehended from the present proposal? On the contrary, the hon. Member for Bath allowed that the evil would be limited by the law which it was proposed to pass. If there were any serious apprehension as to the smuggling of American corn, why had there not been apprehensions of the smuggling of American flour? Could any hon. Gentleman assign a single reason why, if wheat would be smuggled at 3*s.* a quarter, flour should not be smuggled at 2*s.* a barrel? The right hon. Gentleman (Mr. Labouchere) said, that tea was altogether a different case, because they might know that tea was not grown on the spot; that might be so, but how were they to know whether the tea had paid duty or not? At this moment there was a duty of 5*s.* per barrel on American flour on its admission into all our American colonies but Canada, and it had never been found that a smuggling trade in flour had taken place. The hon. Member for Dorsetshire seemed to have an apprehension that American corn would be landed at Montreal under the pretence of being for the fisheries, and that when landed it would be exported to this country as Canadian corn or ground and imported as Canadian flour. But if the corn were landed at Montreal it would be landed under the supervision of the Custom-house officers, and could not leave the ports without a certificate declaring its origin; and of all cases on which it would be easy for the revenue officers to decide, these cases would be the most free from difficulty. So far as the evidence of the duties already levied in Upper Canada went upon articles much easier to smuggle than corn, there was no reason to apprehend that a smuggling trade in corn would exist; but if this consideration were not sufficient, he would refer to the argument used by his noble Friend (Lord Stanley) and ask how it was possible for such a miserable saving as 3*s.* a quarter, that any smugglers should incur the extra expense of landing corn on the sea coast in bulk, subject as it would be to be injured, and the expense of additional carriage? These expenses would, most probably, far exceed the 3*s.* a quarter duty. The right hon. Gentleman then went on to object that the effect of passing this law would be to make other colonies tributary to Canada, and to increase the price of Canadian corn to the other colonies. This argument was a fallacy. The price of Canadian corn must be governed by the price at which the foreigner could supply the other colonies with corn subject to the duty which the foreigner paid. The same law which now determined the cost would hereafter determine it, and the consumer would pay precisely the same price. The Canadians might, indeed, lose some advantages in the markets of our other colonies, by the duty imposed on American corn, but as the principal supply was not derived from them, the price would not be altered by the duty. The right hon. Gentleman then objected to the disadvantage at which he alleged this measure would place the national treasury, as the 3*s.* duty must go to the colonial treasury. He (Mr. Gladstone) thought that there was much in the argument of the hon. Member for Liskeard, that whatever surplus was created in the colonial treasury by this measure would be applied in the reduction of duties on British manufactures. He (Mr. Gladstone) thought it would be unworthy the wisdom of Parliament to set the consideration of a few thousand pounds a year against the consideration of the welfare of a province so important to the British Crown as the great province of Canada. The right hon. Gentleman had then proceeded to another difficulty. He stated that other colonies had petitioned for the grant of similar measures, and that whenever any colony acted up to the same conditions we should be called upon to extend to it similar favours. He believed it to be inaccurate to say that any other colony had petitioned. No other colony, that he knew of, had expressed such a desire. He admitted, however, that the right hon. Gentleman's question was independent of that fact, and he would proceed to state what was the intention of the Government if such conditions should be complied with. His noble Friend had stated that, although he believed this measure would be beneficial to Canada, it would not produce effects of so electric a nature in promoting the interests of Canada as to entitle the Government to disturb the agricultural interests at home except on the ground of an engagement having been entered into stringent and binding upon the Government, although not upon Parliament. Canada was the only one of our colonies to whom this question possessed more than a very minute importance. There was no other colony whose exportation of corn gave it a similar claim,and he apprehended, therefore, that his noble Friend's answer, with reference to the communication of similar privileges to any other colony complying with the same conditions, was sufficient. There was no engagement with any other colony and no one had so large an interest in the exportation of corn as to warrant any alteration in our laws. He had now, he believed, nearly enumerated the objections of the right hon. Member for Taunton. He came now to the speech of the noble Lord, and he must say he had never heard a speech with greater astonishment. The noble Lord appeared to have totally mistaken the nature of the question at issue; and he should call the noble Lord to his aid against the noble Lord himself, because at the close of his speech the noble Lord contradicted the fundamental proposition with which he set out. The noble Lord's argument rested upon the proposition, that this measure would create a transit trade from America through the province of Canada—that its object was to encourage and force, by bounty, a transit trade through Canada, but the noble Lord went on to argue that the expense was so great that it would be vain to attempt the creation of such a transit trade, and towards the end of his speech, in summing up his objections to the measure, the noble Lord said that it would destroy the beneficial intercourse between Canada and the United States, and put an end to that trade (the transit trade) which was so beneficial to both. These arguments were utterly contradictory of each other, but he (Mr. Gladstone) was convinced that neither of them was true. The measure would not put an end to the transit trade—it would have no sensible effect upon it whatever, and its object was not and its effect could not be to stimulate a transit trade. The noble Lord was himself open to the objection he had himself made. His object was to refuse assent to the colonial act imposing a duty of 3*s*. What would be the effect if that act were annulled, and an act passed at home imposing a fixed duty of 5*s*. on all corn imported from Canada? If that were done, then we should be giving a bonus of 3*s*., on the noble Lord's shewing, on drawing American corn from its natural and its cheapest channel through the channel of the St. Lawrence. The hon. Member for Wolverhampton had said, and with truth, that there was the greatest jealousy in the United States upon the subject of any effort that might be made by the country to establish a colonial depôt close to the border of the United States to draw the produce of the United States into the dépôt, by offering advantages in the shape of a reduced duty, and thus to bring it under the effect of British navigation, and thereby defeat the reciprocity treaty between this country and the United States, as to the terms agreed upon to regulate the carrying trade. If they reduced the duty on Canadian corn to 1*s*., without imposing any duty upon the import of corn from the United States into Canada, they should, as the hon. Member for Wolverhampton had stated, excite a hostile feeling on the part of the shipowners of America, and lead to fresh complaints from that country on a subject which had already given rise to innumerable complaints, and been mads the subject of representation in documents of no less importance than the reports of the committees of Congress. There was also another distinct objection to which such a measure was liable, inasmuch as the intimation of a design on the part of the Government to reduce the duty on corn brought from Canada had already given rise to some speculation and excitement in foreign countries, and intimations had been thrown out that if Parliament should adopt measures to grant privileges to the corn of America which it did not grant to the corn of other countries, such a course would be a justification for the imposition of new and increased duties on the import of British productions into the countries of Europe. It was not the object of this measure to force a transit trade between America and Canada, nor to offer an increased inducement for it, and it would be most grossly unjust to the inhabitants of other countries if, under the semblance of giving a boon to a colonial population, the Government were to depart from the spirit of its treaty with a friendly country now in alliance with this country. The hon. Member for Dorsetshire objected to the measure, on the ground of supposed ill effects on the agriculture of this country. It was said there were great discrepancies in the statements which had been made as to the probable expense of bringing Canada corn into this country. Such was, no doubt, the case; but taking the lowest estimate, it was clear that corn could not be taken to Montreal for less than 8*s*. or 10*s*., nor imported from Montreal to this country for less than 12*s*. or 14*s*., which amount would give an immense advantage to the producers in this country over the colonial importer. The hon. Member for Somersetshire had read some papers respecting the recent importation of corn from Canada. Now he would beg to state to the House these facts:—Taking the four first months of this year, as compared with the four first months of the two preceding years, the fall in prices would be found to have produced a remarkable effect. In the four first months of 1841, there were imported into this country 33,900 quarters; in the four first months of 1842, 35,000 quarters; both of which years were years of high prices—while, in the four first months of 1843, a year of low prices, there were imported only 14,900 quarters. Then again the entries for home consumption were, in the period he had stated, in 1841, 42,800 quarters; in 1842, 51,000 quarters; and in 1843 they decreased to 23,400 quarters; so that it was clear that a somewhat high standard of price was necessary to maintain the present trade between this country and Canada. The hon. Member for Rutland asked, why alter the Corn-laws, at a time when prices were so depressed as at the present period; and it was said, further, that if there were such a chance of a return of high prices, there ought not to be so much reason to complain of a measure which went to enlarge the sources of supply. It was true that prices were now low, but it was impossible to guarantee the continuance of low prices. Because there had been four or five yeas of high prices, now followed by five or six months of low prices, it did not follow that we were to have these five or six months of low prices extended to four or five years. It appeared to him that the wisdom of Parliament, considering the increase of population, would be best shown by assenting to a bill like this, which gave a promise of encouraging the most desirable mode of a supply of corn for this country at those periods when there was the greatest need of it in our own markets. As to the importation of American flour, upon a strictly true description of this measure, it would be found that it left the importation of American corn ground into flour in Canada much in the same state as at present. There was not even a reduction of 1*s*. in the duty as the hon. Member for Liskeard supposed, but the duty would be, in fact, as high as at present. The only opposition which he observed between his noble Friend (Lord Stanley) and the hon. Member for Liskeard was apparent, not real. The only opposition between them was, that one said it was a measure of free trade, and the other said it was not a measure of free trade. Now, that might really be, without there being any great difference between them. It was not a measure of free trade, as his noble Friend stated, in the general sense of that term, and it was a measure of free trade between the mother country and the colony. It was a measure of free trade in respect to the relations between Canada and England, and it was not a measure of free trade as regarded England and America. Another great argument against the proposition was, that the quantity of corn imported from Canada would materially affect the prices here; but he did not believe that prices would ever be sensibly affected by the importation of corn from Canada. There were differences of opinion whether that colony grew enough for its own consumption. The hon. Member for Bath maintained that it did not grow enough for itself, and could have none for exportation. That difference of opinion showed that though the quantity might be too insignificant when exported, to affect the English market, it might be of great advantage to the trade of Canada to be able to export that quantity. He believed that the exportation from Canada to England would give a great stimulus to the agriculture of the colony, extend the commercial relations between the colony and England, and be beneficial to the trade of both countries, at the same time it could not exert any injurious effect on the productive industry of the English agriculturists. That was the kind of trade, independent of foreign countries, mutually beneficial to two parts of the same empire, which could not be disturbed by hostile tariffs, which it was perhaps the duty of Parliament to encourage more than other trade. With respect to the importation of corn from Canada, he would quote an authority not liable to suspicion. Lord Sydenham said in 1840, when the colony was not dissatisfied, that he was not indisposed to advise an alteration in the duties. Lord Sydenham was not a Friend to the colonial system. He was hostile to the system of protective duties, and held opinions extremely favourable to free trade. Lord Sydenham, however, holding those opinions on the 21st of January, 1841, wrote to the noble Lord (Lord John Russell) then holding a responsible office in the Government, a despatch, from which he would quote two short extracts. In the first, Lord Sydenham said—

> "There can be no doubt of the great effect that would be produced in these colonies, if Parliament could be prevailed upon to admit the agricultural produce of the Canadas free of duty for consumption in the United Kingdom."

And then after expressing an opinion against a protective duty in Canada he went on to say this—

> "The real means of affording advantage to Upper Canada would be to permit the importation of its produce free of duty into the United Kingdom, and the opinion that prevails among them certainly renders it a measure at this moment of the utmost importance."

He quoted that opinion as fully substantiating the allegation that although this might be a very small question with reference to this great country, its immense productions and growing demand, yet it was a very considerable question as regarded the agricultural interests of Canada, and the increase of its productions, and consequently of the trade between Canada and Great Britain. The hon. Member for Rutlandshire objected that the Government was about to apply a fixed duty, when a sliding-scale had hitherto prevailed. But there was a difference of opinion among authorities on that subject, and he would quote from page 46 of a corrected speech of Lord Monteagle, in which his Lordship said—

> "Those who have the object of exciting alarm among the agricultural interests of this country, and wish to show how unsafe it is to trust the Government, exclaim against the dangerous and new schemes they are introducing, as being unfavourable to the agricultural interests of the country."

And then, in page 42, the noble Lord complains that they are about to introduce a bill, allowing American corn to come into this country subject to a fixed duty of 3*s*. But singularly enough, in a second portion of his speech, his Lordship wished to show that the operation of a sliding-scale was most irregular with respect to the introduction of foreign corn, and in order to prove that, he undertook to show that when there was a fixed duty the introduction of corn was very regular, and he referred to the foreign duty as an example of the sliding scale and to the colonial duty as an example of a fixed duty. If then the principle of the present protective law was a fixed duty on colonial corn, surely that was a sufficient answer to any objection to the Government on account of their being supposed to be introducing a new principle into the law and setting aside a graduated scale. It was perfectly true, as the noble Lord had stated, that there was a fixed duty until 1842, and moreover a fixed duty of that peculiar description for which the noble Lord declared so strong a preference the nominal duty being 5*s*. when the price was 60*s*., and then falling to 6*d*. But in point of fact, what did the question between a sliding-scale of such dimensions, and a fixed duty amount to? The objection to a fixed duty on this side of the House, in the sense of a protective argument, was this, "that you cannot maintain a fixed duty when prices are high; that it then becomes burthensome upon the consumer, and the agriculturist loses the benefit of the protection that would be taken away from him and never restored." The question therefore, whether there should be a fixed duty of 4*s.* or a sliding scale of duties betwixt 5*s.* and 1*s.* was altogether a minor question, and devoid of practical importance. He thought that a sufficient answer to any charge of inconsistency which was made against the Government for adhering to the sliding scale, for the purpose of protecting the agriculture of England against foreign competition, and adopting a fixed duty, when there was no question of such competition. The noble Lord the Member for Sunderland had asked a question about reciprocity, and had said, why should they reduce the duty on colonial corn without making sure that a reciprocal reduction would be made in the colony of the duty on our manufactures? The answer to that question was, that the colonial duties at present were only 5 per cent. on British manufactures. With respect to our own colonies, he thought that the proposition was now very generally acknowledged that the produce of those colonies, with certain exceptions, should be admitted at a nominal duty. The hon. Member for Rutlandshire objected that the present measure would give additional facilities for the admittance of corn from the United States; but he thought that the objection on this score was not sufficiently supported. The hon. Member admitted that this proposition would not give any additional facilities for the direct transmission of corn from the United States but would only operate in respect to corn ground in Canada, and imported thence as flour into this country. Now, he would ask hon. Gentlemen who voted for the Corn-bill of last year, and who considered that the question of the Corn-laws was settled by that measure, whether they were prepared to disturb that settlement by altering the state of the law by which corn ground in Canada was now admitted into this country. For his part, he thought that at this time nothing would be more unsatisfactory to the colony, and that nothing could be so disadvantageous to the commerce of this country as to raise subtile discussions as to how far the foreign raw materials manufactured in the colony, or the produce of one country manufactured by another, should be admitted as the produce of the manufacturing colony or country. He would call upon hon. Members, before they demanded of Parliament to give a decision upon this question, to consider how far it would affect our own foreign commercial relations. For instance, we were exporters of flax, of the value of 10,000,000*l.* in the shape of yarns, and yet of a very small proportion of that amount could it be shown that the flax was British produce. He was prepared to admit, that America would derive some advantages from some provisions of the measure now proposed, but those advantages were only such as to counteract to a certain extent the disadvantages under which she necessarily laboured from her geographical position; disadvantages which, as the population of America moved year after year further to the westward, were continually increasing. Upon all grounds, he thought it would be unfair towards America, and inexpedient as regarded the commerce of this country, and particularly fatal to the settlement of the Corn-law question effected last year, that the Government of this country should go for the first time out of its course to declare that the produce of corn grown in a foreign country, but ground in a British colony, should not be admitted as the produce of that colony. He felt that he had troubled the House with many points of detail which, at this time of night, must prove wearisome to them. He did not feel it necessary to enter further at length into the important general considerations which were involved in this measure, as he trusted that the able statement of his noble Friend on this subject was sufficiently in the recollection of all who heard him, to render such observations on his part quite unnecessary. He hoped, that enough had been stated to show that whilst this was a measure of relaxation, it was one of safe relaxation; that it would constitute, as the hon. Member for Liskeard had said, a boon to the people of this country in respect to the enlargement of their commercial relations and of their general resources; whilst it would also, though limited in extent, prove a boon to Canada, which had been desired there for years, which was particularly called for now, upon high authority, as a measure of great national importance; and that upon all these considerations it could not but prove a bond of additional mutual attachment between that colony and the mother country.

Debate adjourned.

House adjourned at one o'clock.

HOUSE OF LORDS,

Monday, May 22, 1843.

MINUTES.] BILLS. *Public.*—2^{a}· Liberty of the Rules (Queen's Bench); Turnpike Roads (Ireland).

Reported.—Queen's Bench Offices.

3^{a}· and passed:—Townshend Peerage.

Private.—1^{a}· Haddenham Inclosure; Forth Navigation; Walton-on-the Hill Rectory.

2^{a}· Todhunter's Divorce; Story's Estate; Porterfield's Estate.

Reported.—Northampton and Peterborough Railway.

3^{a}· and passed:—Watson's Divorce; Faversham Navigation.

PETITIONS PRESENTED. By Lord Kenyon, from Cambridgeshire, and the Earl of Hardwicke, from Rochford, against the Union of the Sees of St. Asaph and Bangor.—By the Earl of Clancarty, from several Unions, against the Irish Poor-law.—By Lord Teynham, from Cockermouth, and Uffculme, against the New Poor-law.

POOR-LAW (IRELAND).] The Earl of *Clancarty*, on presenting a petition from the Board of Guardians of the Ballinasloe Union, praying for inquiry into the working of the Poor-law, said, This petition, as well as a similar one addressed to the other House of Parliament was agreed to, with unanimity, at a very full meeting of the Board, early in the month of March. I regret that, at the present advanced period of the Session, the inquiry prayed for, and which ought to have preceded the introduction of a bill for the amendment of the Poor-law, could not be instituted without a postponement of legislation which would be detrimental to the country; but earlier in the Session, it was a step that sound policy in respect to the Poor-law, as well as a due regard for the universal wish of the Irish people should have induced her Majesty's Government to propose to Parliament, especially after the recommendation to that effect, which shortly before the commencement of the Session, had been made by a numerous and influential meeting of Irish landed proprietors, whose advice and cooperation were respectfully tendered to Government in the very alarming and critical state of things which the excitement and agitation against the Poor-law had occasioned. My Lords, I have in another place been quoted, and rightly so, by my noble Friend, the Chief Secretary for Ireland, as being friendly to the Poor-law, and as having testified to its good working in the district with which I am connected; but to some who were present upon that occasion, it appeared that my having as Chairman of a Board of Guardians signed a petition for enquiry into the working of the act, was contradictory of the noble Lord's statement. But I trust I shall not by your Lordships be therefore considered unfriendly to that great measure. The object of the proposed inquiry was not the repeal, but the improvement of the law, and its better adaptation in some of its details to the circumstances of the country. If the law was in principle a bad one, undoubtedly inquiry might and ought to lead to its repeal; but believing as I do that the law is sound in principle, the effect of inquiry could only be to improve it in detail, and to conciliate public opinion in its favour. It is, my Lords, a most just principle, in my opinion, that the land should be chargeable, with the support of its poor, and while, in the workhouse system, I see the only plan on which this principle can be carried out, either with eventual benefit to the poor themselves, or with due regard to the resources of a very poor country, I think the Poor-law has laid the foundation of a most valuable improvement in the constitution of society in Ireland by placing the administration of relief under the superintendence of Boards of Guardians chosen by rich and poor to represent the interests of both. Hereby individuals of different classes, sects, and parties, are brought to act together, and made sensible that, whatever their previous differences, they have henceforth one duty in common—namely, to provide relief for the destitute, and also one common interest in the general welfare, and the improvement of the resources of the country. But, my Lords, while I view the principle of the Poor-law thus favourably, I cannot but be aware, as most of your Lordships, I am sure, are, that very great and general dissatisfaction prevails with respect to it; and that if that feeling is in part the effect of a successful agitation against the act by those who desire to have it repealed; it is also in part justified by the faulty administration of the Poor-law Commissioners; while, with respect to the act itself, it is not perfect. Nor could it reasonably be expected, that so vast, and, as applied to a country circumstanced like Ireland, so novel an experiment should be perfect at once in every particular. I accordingly suggested to my noble Friend, who did me the honour of inquiring my opinion upon the subject, no less than eight different heads of amendment, besides two collateral measures, which were and are in my opinion necessary to render the working of the law such as it should be; but I, at the same time earnestly recommended the immediate appointment of a Parliamentary committee of inquiry, through means of which misrepresentation might be exposed, real abuses corrected, and the value of the various plans suggested for the improvement of the law, and the opinions of practical and influential men respecting it, brought to the test of public examination. This I am convinced was the proper course to have adopted with respect to a measure of such great national importance, and to the success of which public confidence is essential. It would, moreover, have allayed much of that jealousy which is naturally entertained towards the Poor-law Commissioners, for the vigilance of Parliament is the only guarantee to the public against the abuse of those great powers which are for the present necessarily confided to them. I must, therefore, in laying this petition before your Lordships, express my regret that the course recommended of inquiry has not been pursued, and that legislation, which cannot now be delayed, will not be as satisfactory as it otherwise might have been. I have another petition to present to your Lordships from the clergy of the united diocess of Clonfert and Kilmarduagh. The petitioners pray to be relieved from the undue taxation to which, under the Poor Relief Act they are at present subjected. They do not seek for exemption from their just proportion of the poor-rate, but they complain, and with good reason, that the tax falls more heavily upon them than upon others. It may be in the recollection of your Lordships, that not many years ago, an act of Parliament was passed, depriving the Irish clergy, in my opinion most unjustly, of a fourth part of their incomes. This fourth, my Lords, at present goes into the pockets of those who are, under the Poor-law, authorised to make a further deduction from the tithe rent-charge of the entire poundage of the poor rate. The owners of tithe property are thus made to pay an entire rate upon the actual gross value of the tithes, while the owners of all other kinds of rateable property only pay a proportion of the rate upon an estimated net annual value. When then, it is considered how many deductions are made from the tithe rent-charge before it becomes available as income to the incumbents of livings, and that the low valuations put upon all other descriptions of rateable property, necessarily throws an undue proportion of the tax upon that which is valued to the last farthing, I think it behoves your Lordships, and I would especially beg the attention of her Majesty's Government to the subject, to devise a remedy for so undeniable a hardship.—Petition laid on the Table.

ECCLESIASTICAL COURTS.] The Bishop of *Exeter* rose, pursuant to notice, to present certain petitions relative to projected reforms in the ecclesiastical courts. The petitions were not directed against a bill which was then before the other House of Parliament, but had reference to a subject on which her Majesty's Ministers had pledged themselves—namely, the reform and regulation of the ecclesiastical courts; and the petitioners prayed that those courts in the country which had a right to grant probate might be suffered to remain, subject to such alterations as might be deemed necessary to render them more efficient. It was not surprising, after the sentence that had been passed on them by the Ecclesiastical Commissioners in their report, that it should be proposed to remove these courts altogether. That report was made by very eminent men—men eminent in every department with which they were connected. The commission to which his late Majesty confided the duty of inquiring into the course of proceeding in the ecclesiastical courts was composed of pious prelates of the Church, most distinguished judges, civil and ecclesiastical and distinguished practitioners of the law in the eccclesiastical courts. That a report made by such men should be most able was to be expected. Able as that report undoubtedly was, it treated different matters connected with the subject with a very different degree of attention—not always proportioned to their importance. The commissioners had to consider the extent of actual jurisdiction possessed by those courts, and they reported that—

> "The ecclesiastical jurisdiction comprehends causes of a civil and temporal nature; some partaking both of a spiritual and civil character; and, lastly, some purely spiritual. In the first class are testamentary causes, matrimonial causes for separation, and for nullity of marriage, which are purely questions of civil right between individuals in their lay character, and are neither spiritual nor affecting the Church establishment. The second class comprises causes of a mixed description, as suits for tithes, church-rates, seats, and faculties. The third class includes church discipline and the correction of offences of a spiritual kind. They are proceeded upon in the way of criminal suits *pro salute animæ*, and for the lawful correction of manners."

The report extended to between seventy and eighty pages, and only the third part of one solitary folio was given to that portion of the subject which more especially related to the interests of the Church, as a church. Now, he would venture to entreat her Majesty's Government, and he would, as this was a legal measure, more particularly address himself to his noble and learned Friend on the Woolsack with respect to it—he would venture to express a hope, that any measure contemplated on this subject would not be hastily pressed forward at a time when it was perfectly impossible for the Bishops to be present in their places in Parliament. He held in his hand a copy of a proposed bill on this subject, which had been sent to him by a high legal authority before the Parliament had met, and it was then announced, that some certain measures would be brought before their Lordships' House in this Session with reference to the ecclesiastical courts. They had now, however, arrived at the end of May, and no such measure had been brought before them. He understood, however, that a bill on this subject had been read a second time in the other House of Parliament, but he did not see, nor could he judge from any notice given, that there was an intention to carry it speedily through that House. That bill consisted of 140 clauses, and very great difference of opinion existed with respect to the various provisions of the measure. How, then, after it had been fully discussed in the House of Commons, the bill was likely to be carried upinto heir Lordships' House, in any reasonable time for due and proper deliberation, for calm and patient consideration, such as the importance of the subject demanded, he was utterly at a loss to conceive. It could not be expected in that House in proper time to give their Lordships a fair opportunity of bestowing on such a measure that attentive consideration which its important nature demanded. He had said enough, he thought, to justify him in earnestly entreating her Majesty's Government not to allow such a measure to be carried forward at a time when the right rev. Prelates could not be present to discuss its merits. A measure on this subject was not likely to be unanimously agreed to; and, looking at the various interests that were connected with it, he thought it was impossible so to compress them within the compass of one bill as to command unanimity. When he considered the misrepresentation which prevailed on this question with reference to very grave matters, he felt the necessity of proceeding with the utmost caution. Much that was proposed was founded on nothing less than misrepresentation. The intended bill did, in truth, rest on what he would not call false pretension;—no; he did not suppose that there was any intention to deceive. He freely exonerated all those who were connected with it from any intention to deceive, and yet it was extraordinary.

The Earl of *Radnor* rose to order. The right rev. Prelate, in presenting a petition, was proceeding to animadvert on a bill, which was not before the House. If he understood the right rev. Prelate rightly, he had commenced by saying that the petitions which he was about to present, were not against a certain bill, though they had relation to the subject of that bill; but now the right rev. Prelate was actually proceeding to discuss that very measure.

The Bishop of *Exeter:* I pledge myself that I am not discussing the measure to which the noble Earl refers. The paper I hold in my hand is not the bill to which allusion has been made. It is not the same, and I submit that in referring to it I am not out of order.

The Earl of *Radnor:* I did not say, that the right rev. Prelate had the bill in his hand. I stated, that he was, as it appeared to me, animadverting on a bill, which is now pending elsewhere.

The Bishop of *Exeter* said, he was about to state the provisions of a measure which had been sent to him, and he believed to every Bishop, embodying the intentions of her Majesty's Government on the subject of the ecclesiastical courts. He believed that he was not out of order in referring to the contents of that paper, and making such remarks on it as he might think necessary. He did not mean to go into the whole question, his object being merely to entreat her Majesty's Government not to force such a bill through Parliament this Session. The bill contained what amounted to a *suppressio veri*, and led to a false conclusion being drawn; it led to the belief that the Ecclesiastical Commissioners had recommended a transference of jurisdiction in testamentary and matrimonial matters from the ecclesiastical to lay courts. He appealed to the recollection of those right rev. Prelates and noble Lords present, who had formed a part of the Ecclesiastical Commission, if they had ever recommended anything so vague as the transference of the ecclesiastical jurisdiction elsewhere, even in testamentary and matrimonial matters. He most cordially assented, that such matters as these might be properly transferred to a civil court; but the recommendation of his right rev. Friends near him had been that the jurisdiction on these matters should be referred to the two provincial courts; and their Lordships would permit him to remind them that these courts were ecclesiastical courts. The Ecclesiastical Commissioners recommended that all matters testamentary and matrimonial, should be transferred from the diocesan to the provincial courts.

The *Lord Chancellor*: I understand that the bill before the other House of Parliament differs from the paper in the right rev. Prelate's hands. I understand, that the right rev. Prelate is now commenting on a bill in his hands which does not correspond with the report of the Ecclesiastical Commissioners. At the same time, the right rev. Prelate tells us, that the bill in his hands does not correspond with the bill before the other House of Parliament. I submit to the right rev. Prelate that under these circumstances it is a mere waste of time to go on. If the right rev. Prelate says, that there is a bill in the other House of Parliament, and that these particular clauses upon which he is commenting, correspond with clauses in the bill in the other House of Parliament, that is another question. I ask whether they do correspond?

The Bishop of *Exeter* continued: The noble and learned Lord on the Woolsack has said, that I have made a declaration with respect to a bill in the other House of Parliament.

The *Lord Chancellor*: No; I did not say that at all. I said the right rev. Prelate is comparing with the report of the Ecclesiastical Commissioners a paper which he holds in his hands, and which he condemns, and at the same time, he says, that it does not correspond with the bill before the other House of Parliament. I ask, therefore, what is the use of discussing that paper, unless the right rev. Prelate will take on himself to say that it corresponds with the bill in the other House of Parliament?

The Bishop of *Exeter*: I do undertake to say, that it corresponds with that bill.

The *Lord Chancellor*: Then I understand my right rev. Friend is as irregular as possible in discussing the clauses of a bill before the other House of Parliament, and not before this House.

The Bishop of *Exeter*: The noble and learned Lord has not said, that I am departing from the orders of the House in saying that the paper I hold in my hand, is a bill to be brought into Parliament by her Majesty's Government at some time or other.

The *Lord Chancellor*: I hope the right rev. Prelate won't understand me to express myself in any way disrespectfully when I say it is an idle waste of time to discuss a paper which does not correspond with the bill in the other House of Parliament, and if it does correspond with that bill, then the discussion is irregular.

Lord *Kenyon* said, his noble and learned Friend on the Woolsack had interrupted the right rev. Prelate in a manner which was quite out of order. He had suggested to the right rev. Prelate, that the course he was pursuing was not out of order, but inexpedient. Now, the right rev. Prelate ought himself to be considered as the best judge of the way in which he would discuss the question, and all who had heard the right rev. Prelate address the House would agree with him (Lord Kenyon) in thinking that there were few men who knew better how to conduct an argument than the right rev. Prelate; and with respect to order, he (Lord Kenyon) thought him completely within the rules of the House.

The *Lord Chancellor* begged to say, that he was perfectly in order, because he had asked whether or not the clauses of the bill which the right rev. Prelate held in his hand, did correspond with the bill in the other House of Parliament, and the right rev. Prelate admitted that they did; and to discuss the clauses of a bill on the Table of the other House of Parliament through the medium of a copy which the right rev. Prelate held in his hands was most irregular, and out of order. With all deference to the noble Lord, he was perfectly in order in the course which he had pursued.

The Earl of *Wicklow* thought the noble and learned Lord, by putting such a question, had been out of order. The noble and learned Lord had no right to put that question to the right rev. Prelate. The right rev. Prelate appeared to him (the Earl of Wicklow) to be perfectly in order in the whole course which he had taken; he had begun by presenting a petition, and had not referred to any bill in the other House of Parliament, and he had a perfect right in presenting a petition to make use of what argument he pleased.

The Marquess of *Lansdowne* said, the noble Lord on the Woolsack had a perfect right to ascertain whether the right rev. Prelate was in order or not, and on finding how the right rev. Prelate had answered the question put to him, every noble Lord had a right to call him to order. It was a matter of judgment whether or not it was fitting to discuss the clauses in the paper the right rev. Prelate held in his hand; and as to the suggestion that it was wasting the time of the House —that was not at all, he was sorry to say, out of order.

The *Lord Chancellor* said, the question he had put, relative to wasting the time of the House, required explanation. The time of the House was never wasted. But the fact was, the right rev. Prelate was such a master of language, that he was certain, that the difficulty which the right rev. Prelate had in expressing himself arose from his endeavouring to avoid alluding to a bill in the other House of Parliament. He would put it to the right rev. Prelate's candour whether it were right to attempt to do indirectly that which he could not do directly.

The Bishop of *Exeter* would endeavour to address their Lordships in a somewhat better way. He had said that he was alluding to a bill not in the other House of Parliament, but to the copy of a bill sent to him before the commencement of the present Session. The noble and learned Lord had put it to his candour not to allude to a bill before the other House of Parliament. He felt bound to do his duty, and to impress on their Lordships the necessity that no such bill as that a copy of which he had received before the present Session of Parliament should be pressed on that House at a time when his right rev. Friends near him could not be present. He would in his turn, appeal to the candour of the noble and learned Lord on the Woolsack, and ask him, as one of the Members of her Majesty's Government, if it were right to stop him by asking a question in order to put him out of order, whilst he availed himself of a communication made to him before the Session of Parliament commenced to warn their Lordships against the injustice and unreasonableness of pressing such a measure through Parliament at a time when the bishops could not be present—a measure which, whatever the character of the bill elsewhere, professed to deal with the whole system of the established Church, and with its most sacred rights as a church considered purely as a church? Was it then to be endured that a measure of this enormous length, running to 140 clauses, should be brought to that House in the month of July, for earlier it could not reach them? He appealed to the noble and learned Lord's candour whether this was tolerable.

The *Lord Chancellor* said, as the bill at present stood it was in the other House of Parliament. It was impossible for him to say at what time it would come to their Lordships' House. If it came at a period of the Session when it was impossible to pass it, because those who were interested in its passing were necessarily absent in the performance of other duties, he, for one, should not accede to its passing. He should act inconsistently to the opinions which he had expressed, and to the course which he had pursued on former occasions if he did; for he had submitted this argument as a reason for not entertaining bills when brought up to that House at a late period of the Session, and he should apply precisely the same rule now. He hoped that that explanation would be satisfactory to the right rev. Prelate.

The Bishop of *Exeter*: Most entirely. He understood that the bill was not to be pressed through the Parliament if the bishops were unable to attend? If his understanding of the noble Lord's meaning were correct, the noble and learned Lord would have done more to save their Lordships' time by stating as much in the first instance than by other observations.

The *Lord Chancellor* said, he had been taken by surprise by the questions of the right rev. Prelate. If the right rev. Prelate would allow him to make an inquiry with respect to the stage of the bill in the other House and when it would be probable that it would be brought to that House, and if the right rev. Prelate would inform him when the right rev. Prelates were likely to be absent, when he had ascertained these facts, if he found that the bill could not be brought up to that House with time to be fairly discussed, he should recommend the other Members of the Government not to press it forward this Session.

The Bishop of *Exeter* said, after that explanation, he should be ashamed to press the discussion one moment further. He had gained the assurance of the highest authority that this bill should not be pressed through Parliament when the bishops were absent.

The Bishop of *Lincoln* said, after the personal appeal which had been made to him as one of the Ecclesiastical Commissioners who had signed the report, he begged to say, that the question of the transfer of matters testamentary and matrimonial to a purely lay tribunal, had never been proposed to him on that commission; and such a transfer of the ecclesiastical jurisdiction had never been contemplated for a moment. The commissioners had merely recommended that the jurisdiction of the diocesan courts should be transferred to the provincial courts, which, as his right rev. Friend had stated, were ecclesiastical courts.

Petition withdrawn.

THE TOWNSHEND PEERAGE.] Lord *Brougham* moved the third reading of the Townshend Peerage Bill.

The Earl of *Devon* had abstained from taking any part in the discussion of the amendments which had been made in the bill, but now that the measure was in a perfect and complete state he wished to make one or two observations upon it. He thought, in the first place, this measure was an improper interference with the prerogative of the Crown. Without a message from the Crown, the House had taken upon itself to deal with the question of the succession to a peerage, which ought to have been decided by the Crown, on the advice of its law officers and the aid of this House, a few years hence; and though this bill should become the law of the land the Crown would still be left in this position —namely, to deal with the fourth son (who is not included in the provisions of the bill), in the same manner as the bill proposed to deal with the first and other sons. Therefore, in the end, the measure would not relieve the Crown from the difficulties of the case, while it made a most gratuitous invasion of the law and constitution of the realm. But apart from the question of succession to the peerage, he begged to ask, was it right to set this first example of dealing with the rights of property in the mode the bill under discussion did with estates which might hereafter form the subject-matter of litigation. The ground upon which alone the noble and learned Lord who had taken charge of the bill, and those who supported him, ventured to call for this very extraordinary remedy was the existence of a present grievance. Now what was the present grievance? What was the present wrong affecting the party legitimately entitled to the succession? It was alleged in general terms that the parties declared by the bill to be illegitimate were assuming the privileges which appertained to the sons of a Peer; and one argument which a noble and learned Lord had used was, that one of these illegitimate persons stood, and still claimed to stand, near the Throne of this House as the son of a Peer. Now, though there was no precedent for such a measure as that now before their Lordships, there was a precedent which went to the point urged by the noble and learned Lord to whom he referred. A claim had been made on a former occasion to stand near the Throne, and that claim was brought under the consideration of the House, and the conclusion at which the House arrived was, that it was not such a claim as to justify its interference. The precedent, therefore, as far as it went, was against the argument urged by his noble and learned Friend. If it were proper that the House should interfere, he contended its interference ought to have had its origin in a message from the Crown, in the same manner as their Lordships were frequently called upon to advise the Crown on questions as to the right of succession, when a peerage was vacant, as, probably, but for this bill, they might have been called on for advice with reference to this very family. It was not necessary for him to point out the remedy which might in this instance have been obtained; it was sufficient to say, there was not that existence of present wrong which called for their Lordships' interference. But it had been said, that it was necessary to adopt this measure, in order to perpetuate the evidence. Why, there were four or five witnesses to every material fact, who would, in all probability, be alive, or some of them at least, when the question would properly have arisen; and it was, to say the least of it, rather extraordinary, that the bill does not evsn allege any such ground for this proceeding. But even if it were necessary to perpetuate the evidence, he must say, after reading the testimony adduced, nothing could have been easier by the ordinary mode of effecting that object. It was only in the last Session of Parliament that a committee recommended, and the House adopted a mode of proceeding by which an individual might render the direction of the Court of Chancery true evidence, bearing upon a case like the present, preserved by a course of proceeding to which every individual, not a Peer, must still be contented to resort. And he repeated that the bill failed in the object it professed to achieve. True, by this bill, the Crown was told, on the death of the Marquess Townshend, not to send the writ of summons to the three eldest children born of the marriage—that was of the Marchioness Townshend—because the House interfered, and said they were illegitimate; but that the writ might be sent to the fourth son, Cecil Mina Bolivar, who, if he chose to represent himself as the legitimate son, and apply for the writ, would, in the usual course, go before the Attorney-general of the day, who would investigate the circumstances, and without any assistance from this bill would have to decide. And if the fourth son chose to claim the estates of the Townshend family, that question would have to be tried by a jury; and it was not an impossible case that a jury, looking at the evidence under the direction of one of the judges of the land, might come to a contrary conclusion to that at which their Lordships had arrived. Under all these circumstances he still entertained the strongest objections to the bill. The observations he had made were, however, rather to satisfy his own conscience than offered with a wish to give the House any trouble by dividing upon a measure which he could not but regard as a very dangerous step.

Lord *Brougham* said, his noble and learned Friend had fallen into a very material error in supposing that all the witnesses, four or five in number, would possibly be forthcoming when the question of succession to the honours of the Peerage was opened. Two of the most important witnesses were very far advanced in years. One of them, Mr. Neri, was a most important witness as to non-access; and another was an old lady, seventy-one years of age. Her evidence might be supplied, but that of Mr. Neri certainly could not.

Bill read a third time and passed.

RULES OF THE QUEEN'S BENCH PRISON.] Lord *Cottenham* rose to move the second reading of a bill which had become necessary in consequence of the alterations which had taken place in the law with respect to prisoners in confinement for debt in the Queen's Bench, more particularly those who were now in the enjoyment of that permissive liberty granted by the Marshal of the prison usually called the Rules of the Queen's Bench. It had been determined by the bill of last Session, that prisoners for debt of all descriptions should, after the expiration of a certain period, be compelled to come within the walls of the prison. It had been since represented that, as those persons paid to the marshal a sum of money for that privilege whilst in confinement, they ought to be on that account, exempt from that regulation of the bill passed last Session. The object of the bill which he now proposed should be read a second time was to provide for that case, and to give the marshal of the Queen's Bench Prison a power to continue, notwithstanding the bill of last year, the rules to prisoners during their imprisonment for the said debt. It was his intention, after moving that the bill be read a second time, should that motion be successful, to move that it be committed, for the purpose of negativing that motion, and passing on to the third reading of the bill; as there was a possibility this regulation of the act alluded to might come into operation before this bill could receive the Royal Assent.

The *Lord Chancellor* had no objection to the bill, provided he was assured by his noble and learned Friend, that the bill was so framed that those persons detained in prison for debt, and enjoying the rules, were left in precisely the same situation with respect to the rules that they were in prior to the passing of the last act of Parliament. The privilege of the rules had always been granted subject to the discretion of the marshal, who had a power at any time to withdraw the rules without assigning a reason. Although the regulation respecting granting the rules might be in many instances reprehensible and absurd, he could not see any good reasons why those who had procured the rules, and paid for them, should not be suffered to enjoy them.

Bill read a second time, motion for committee negatived, bill to be read a third time on the following day.

INVASION OF SCINDE.] The Marquess of *Clanricarde* thought it his duty to make a very few observations, in asking the questions which he meant to put to her Majesty's Ministers, in order to justify himself, and make the matter intelligible to others. Their Lordships would recollect the proclamation to which he drew the attention of their Lordships two months ago, and the interpretation he had then put on that proclamation. He was then told by the noble Lords in their speeches, and the vote of their Lordships was in concurrence with those speeches, that he was in error, and had misunderstood that proclamation. To one part of that proclamation he had made no objection; in truth, he cordially concurred in it, and he believed, that there was no person in the House or out of the House who did not approve of it. He alluded to the statement of the Governor-general of India to the effect that the Indian government thought it was not its duty to meddle with the concerns of the neighbouring states, that it was not inclined to seek any accession of territory, and that it possessed the strongest inclination to preserve the peace in India. But he would read the paragraph:—

"Content with the limits nature appears to have assigned to its empire, the government of India will devote all its efforts to the establishment and maintenance of general peace, to the protection of the sovereigns and chiefs, its allies, and to the prosperity and happiness of its own faithful subjects."

And further—

"Sincerely attached to peace for the sake of the benefits it confers upon the people, the Governor-general is resolved, that peace shall be observed, and will put forth the whole power of the British Government to coerce the state by which it shall be infringed."

Their Lordships could hardly know at the time when the Indian government made these professions of peace, what would be the proceedings of the noble Lord who had issued that proclamation. But there arrived information in England in the month of April, or rather rumours, that an English force had entered Scinde. It was said, that we had made great and increasing demands on the Ameers of that country with whom we were then at peace; that our demands were not complied with, that they were enforced by our army; and that in the end a battle had been fought, the Ameers had capitulated, and their country had been taken possession of. Their Lordships would no doubt suppose, that official intelligence had reached this country of the demands which led to this battle, and it was concerning those demands that he required explanation. The Ministers, too, he thought, must be glad of an opportunity of giving the public their views and their explanation of the transaction, which, as it was at present reported and described, seemed not creditable to the British Government of India. With what face, he asked, could that Government, after having used such language as that he had read, engage in operations in India so different from the promises of the noble Lord, the Governor-general, and described by him as most dangerous? The principles laid down in the proclamation differed so widely from those the noble Lord had acted on—in the one case professing a desire not to enlarge the British territory in India, and in the other case sending an army into Scinde, and making large demands, that it seemed as if the noble Lord, the Governor-general, acted from caprice. He thought, therefore, that it was most desirable to know if the Governor-general had written home to explain his policy, and to show that his conduct was based on just grounds. He had no doubt, that the Governor-general had given some explanation in writing of his proceedings. The first question, therefore, which he wished to ask was, whether the Government at home had received from the Governor-general any information or intelligence of the grounds on which the Indian government had made any demands on the Ameers of Scinde, and had thought necessary to enforce them by the operations of an army within their territory, according to the intelligence brought by the last overland Indian mail? The next question, as he understood the operations were not yet over, at least there were reports to that effect, referred to another part of the subject. In the *Gazette* of the 9th of May, there appeared a notification of the Governor-general, in which he said, that he hoped that—

> "The assent of the Ameers of Scinde would have been carried into full effect, as they had been agreed to by their highnesses without a recurrence to arms."

He would ask, then, what had excited our agent to make the additional demands which he had ventured to propose? The third question he had to put was, as the demands had not been agreed to by the Ameers of Scinde, what was the immediate cause of hostility between them and our army? It seemed, that other demands had been made after the Ameers of Scinde had agreed to place their signature to a treaty conceding the first demands. That led him to put another question, which was suggested by the information received, or rather the reports, or rumours, that were in town, that after the Ameers had conceded one demand, and had signed the treaty, the envoy had produced greater demands; and it was stated, that his further making and enforcing those additional demands led them to commit the outrage on the person of the agent, and led to those hostilities which ended in a battle, and to dreadful carnage. The notification of the Governor-general stated, that the Ameers of Scinde had committed a gross act of treachery. He implied, that they had consented to sign a treaty, and afterwards had attacked the envoy suddenly, and declared their hostility. He should be glad to learn whether that were the case. It was impossible to say, but a slight knowledge of human nature would lead to the suspicion that it could not be as was described. If the Ameers wanted to be guilty of an act of treachery, they would scarcely have adopted such a mode, but would have attacked the envoy while the treaty was under discussion, as had been done in Affghanistan, in the case of Sir W. M'Naghten. He had hitherto referred only to facts, and matters which had gone by, and there was no reason to suppose that they could now prevent the consequences; but there was another matter which concerned the future, to which he would allude. He supposed that information had been sent to the Government, and therefore he would so far ask respecting the future, though he admitted that it might be difficult for the Government to give him an answer. In the notification he had already referred to there were two paragraphs which he should read:

> "Thus has victory placed at the disposal of the British Government the country on both banks of the Indus, from Sukkur to the sea, with the exception of such portions thereof as may belong to Meer Ali-Morad of Khyrpoor, and to any other of the Ameers who may have remained faithful to their engagements."
>
> "It will be the first object of the Governor-General to use the power victory has placed in his hands in the manner most conducive to the freedom of trade, and to promote the prosperity of the people of Scinde, so long misgoverned."

The Governor-general then was about to use the power which victory had given him as might be most conducive to the freedom of trade, and to the prosperity of the people who had long been misgoverned. The question, then, which he wished to ask was, whether the territory alluded to by the Governor-general of India was to be incorporated with the territorial possessions of the British Government in India? That question was suggested by the paragraphs he had read. The Governor-general had decided that he would remedy the misgovernment under which the people had hitherto suffered. The Governor-general, too, by his declaration as to land, seemed to treat this territory as if it were at his disposition. He had some doubts whether the country would be satisfied with the annexation of the territory to our possessions in India. He was not quite sure as to the law, but he believed that it was not in the power of the Governor-general to take upon himself to annex such a considerable territory to our possessions without the sanction of the directors of the India Board or the Government at home. He admitted that there might be a great difficulty in answering the question; still he would like to know if the rumour were correct. He mentioned it only as a rumour; he had no authority for the statement, further than the general source of information open to all their Lordships; but there was a rumour that the military operations were not yet brought to a close; and when the Governor-general talked of incorporating Scinde with the territories of British India, he was, perhaps—to use a common saying—selling the skin before he had slain the beast. He had no doubt, whether an answer were given or not, that the subject was important, and it behoved their Lordships to make the inquiry. He had not hesitated to express his opinion on a former occasion of the acts which had been done, and he should like to be informed accurately of what had since been done. At the same time, he must say, that he did not approve of it, so far as he was enabled to form a judgment by the explanations which were before the country. The public saw in these hostilities an act of aggression, which the declaration of remedying misgovernment and encouraging trade did not justify, but made it only the more resemble acts of policy in other times and countries to which England had been opposed, and which had been generally condemned by the public opinion of Europe. Such was his view of the subject as it was at present explained. He believed that the country would not approve of the military occupation of Scinde; for it took place, it should be recollected, at a period soon after we had been engaged in another war, where we had had to rely on the forbearance of the Ameers. It might be a valuable possession, but it would be purchased too dearly if we obtained it at the sacrifice of our character for integrity, good faith and fair dealing, which was of the greatest importance to our power in all parts of the world, and particularly to the preservation of our Indian empire.

The Duke of *Wellington* said it was truly said by the noble Lord that the Government could not answer a rumour. The noble Lord had stated that there was another military affair [*No, no*]—that was the fact. There had been another military affair, but of the result of that military affair no person in the country could give any account whatever. There might be rumours, but noble Lords could not expect her Majesty's Ministers would notice rumours. He would state facts, and they would give the noble Lord answers to the questions the noble Lord had put on the subject. The noble Lord referred to the proclamation which the Governor-general, issued previously to the last military affair, but of the intentions of the Governor-general I know no more than the noble Lord. With respect to the other question put by the noble Lord, he must say that a proposition was made to the Ameers of Scinde to alter the existing treaty. Negotiations followed, which ended in those signatures being affixed to the treaty. That treaty was signed on February, the 13th, and then the resident agent went to his residence in the neighbourhood of Hyderabad. After the treaty was signed, namely, on the morning of the 15th of February, the agent and his escort were attacked by the troops of the Ameers from Hyderabad. He defended himself, with the assistance of his escort, fighting for four hours, and then retired to his steam-boats on the Indus; they were fired into and pursued up the Indus. The consequence was, that Sir C. Napier moved forward for the protection of the residents, a battle ensued, which was valiantly fought on the 17th of February; the army of the Ameers was beaten, they were captured, their cannon were taken, and Hyderabad was surrendered. After receiving an account of these proceedings the Governor-general had issued the proclamation referred to. When all the accounts had reached this country there would be no objection to give the House every information.

The Marquess of *Clanricarde.* I did not understand from the noble Duke whether instructions were sent from home to demand any portion of the country of Scinde?

The Duke of *Wellington:* No.

Subject at an end.

QUEEN'S BENCH OFFICES.] House in committee on the Queen's Bench Offices Bill.

Lord *Langdale:* My Lords: Before the House is put into committee on this bill, I take the liberty of observing that it involves a principle to which I have on a former occasion stated my objections. The Government has no more important duty, nor has the country any more important interest, than to provide the means of administering justice; and it has long appeared to me, that in order to the due discharge of this duty, the Government ought to pay not only the salaries of the judges, but also the salaries of all the ministers of justice and all official expences; or in other words that no fees for the support of the judicial establishment and of the law offices ought to be levied on the suitors in particular causes. It was on this account that when the Act 7 William 4th, and 1 Vict., c. 30, was under the consideration of your Lordships, I objected to the enactment which provided that certain salaries, compensations, and expenses, were to be paid by means of fees, and that the surplus fees were to be paid into the Exchequer. I confess that the opinion which I then stated, met with no favour from your Lordships, and that it was emphatically opposed by two of my noble and learned Friends who are not now present. Amongst other things it was stated that I was under a great mistake in supposing that any revenue was to be raised from the fees received in the courts of justice. The act passed, and the bill now before your Lordships provides in a similar manner that fees shall be received, that thereout certain salaries and expenses shall be paid, and that the surplus shall be paid into the exchequer. It has therefore seemed to me proper, on this occasion, to consider the operation and effect of the former act, on the model of which the present bill is in this particular framed. And from an account which in the course of the last year was laid upon your Lordships' Table and printed, if I have correctly collected the results, it appears that in the four years ending on the first of January, 1842, the receipts in the three Courts of Common Law under the Act 1 Vict. c. 30, amounted in the whole, to the sum of 279,427*l.*; that there were surpluses after paying the salaries, compensations, and expenses, which were payable under the act; and that in the same four years such surpluses amounted in the whole to the sum of 120,714*l.*, which was accordingly paid into the exchequer. Thinking myself, that the whole official expense of administering justice ought to be paid by the country, it appears to me that the whole sum of 279,427*l.* was in these four years raised by fees, for the payment of charges which ought to have been paid out of the public revenue; those who do not entirely agree with me will probably not deny, that to the extent of the 120,714*l.* paid into the Exchequer, the public revenue has profited at the expense of the suitors of the three superior courts of common law in the four years to which I have referred. But it is necessary to make a further observation, because in addition to the compensations which the act makes payable out of the fees, there are other compensations to a considerable amount which are yearly paid out of the consolidated fund to persons who were deprived of their offices under the act; and I am aware that there are, unfortunately, many persons who think that fees may be properly levied on the suitors for the purpose of paying such compensations; and, that notwithstanding the charge upon the consolidated fund, it may be just to set off these Treasury compensations against the surplus fees paid into the Exchequer. This appears to me to be wholly unwarranted; but it may be important to ascertain whether the surplus fees do or do not exceed those compensations. The account to which I have referred contains a statement of the compensations paid out of the consolidated fund for one year only, the year 1841. They amount in the whole to 57,553*l.*—and, if I have computed correctly, part of them amounting to 26,670*l.* was payable under other acts of Parliament, and the remainder, consisting of the compensations payable under the act 7th Will. 4th and 1st Vict. c. 30, amounted to 30,883*l.*; and deducting this sum from the sum of 38,068*l.*, which was the amount of surplus fees paid into the Exchequer, in the same year, 1841, from the three courts, it appears that the public revenue in that year profited even after payment of these Treasury compensations to the amount of 7,184*l.* The surpluses paid into the Exchequer, from the two Courts of Queen's Bench and Common Pleas, appear, indeed, to have been insufficient to satisfy the Treasury compensations payable to the persons who held offices in those courts, but the surplus paid into the Queen's Exchequer by the Court of Exchequer was so much larger than the Treasury compensations which were paid to the persons who held offices in that court, as to leave on the whole a balance of 7,184*l.* of profit to the revenue. I have, therefore, no hesitation in saying, that under the act of 7th Will. 4th and 1st Vict. c. 30, the fees levied in the courts of common law have become a source of public revenue; and I cannot help thinking it incumbent upon those who declared that this was not intended, to take such steps as are in their power to correct the admitted grievance. The questions relating to the expense of administering justice and the proper mode of defraying it, are too large and important to be discussed incidentally upon an occasion like the present; but they appear to me to deserve the most serious attention of your Lordships and of Government. I do not mean to offer any opposition to this bill, I think that it is likely to be useful: it is in one respect better than the former bill, as it enables the judges to establish, and afterwards to modify and vary the fees which are to be raised—but as it involves the same objectionable principle, I thought it my duty to restate my opinion, strengthened as it is by subsequent reflection and experience. My Lords, before I sit down, I request your Lordships to permit me to say a few words which have reference to the Court of Chancery. Holding the opinions which I have this day expressed, it may reasonably be asked, how it is that I have not only acquiesced in, but approved of the measures which have been recently adopted in that court? The answer is short. The reforms to be made were very important, and they could not be effected without providing a revenue, not only to pay the office expenses and the salaries of the officers, by whom the work was to be done, but also to pay compensations to officers who lost their offices. I was given to understand that Government would contribute nothing for these purposes; and the necessary consequence was either that the suitors must be taxed for the purpose of raising the sum required, or else that the reforms must be altogether abandoned. And after painful consideration of the subject, I came to the conclusion, and am now of opinion, that on the whole it was better to make the reform and continue the charge on the suitors for the limited time during which the compensations may be payable, than to perpetuate the charge together with all the inconveniences and evils which it had become so desirable to remedy. And some fees being abolished by the reform which was made, I agreed in the necessity of substituting a new but temporary burthen in lieu of the old one which but for the reform would have been perpetual. As the compensations fall in, the charges will be diminished; and at length the salaries and official expenses will alone have to be provided, and by the reform those salaries and expenses are between 50 and 60 per cent less than they were under the old system. I have said that the Government refused to contribute to the expense. I say it with regret, but without the least thought of accusation or blame. The revenue was embarrassed, the subject has been but little discussed, it is not now well understood, and there are many persons who still think that it is good to make litigation more expensive than it need be. I must add that I think no other administration would at this time have done otherwise than refuse to contribute to their necessary expenses. Saying this, I must at the same time declare that in my opinion the refusal of the Government to contribute to the expense of reforming the Court of Chancery is the only defence or excuse which is open to me and those with whom I have had the honor to act, for continuing the burthensome fees which now oppress the suitors of that court. There is this consolation, that complete and effectual relief can at any time be afforded by a simple vote of Parliament for money. The complication and perplexities which rendered the reform of the Six Clerks' office so difficult, are removed.

The *Lord Chancellor* entirely agreed with the noble and learned Lord in principle. He did not go so far as to say that the Government should bear the burthen of all these changes, but he thought that when the amount of fees received by the Exchequer exceeded the charges, the surplus should be applied to reduce the amount of the fees payable by the suitors, and he had no doubt that this course would be pursued whenever there was a surplus, which was not the case at present. He must, however, observe that the charges had not been increased to the suitors on account of the reforms in the Court of Chancery, and there was a favourable prospect, as far as the suitors were concerned, that the fees would be reduced as the payments for compensation ceased.

Bill passed through committee.

The House adjourned, at a quarter to eight o'clock.

HOUSE OF COMMONS,

Monday, May 22, 1843.

MINUTES.] BILLS. *Private.*—2°. Balfour's Estate.

Reported.—Southampton Docks; Caswall's Disability Removal; Kentish Town Paving; Glasgow Marine Insurance Company; Oxnam's Estate; Sowerby and Soyland Inclosure; Edinburgh and Glasgow Union Canal; Borrowstounness Harbour and Improvement.

3°. and passed:—Haddenham Inclosure; Piel Pier; Belfast Harbour.

PETITIONS PRESENTED. By Messrs. Trelawny, Mitcalfe, W. James, Brotherton, Busfeild, Tancred, R. Yorke, B. Smith, H. Hinde, Ord, Standish, E. Turner, Blewitt, Strutt, R. Currie, Barnard, Vivian, Scholefield, H. Berkeley, Dundas, Duncan, Sotheron, R. Hollond, M. Philips, Philpotts, V. Smith, H. Lambton, Round, S. Wortley, P. Scrope, Bernal, Hutt, Stanfield, Hume, Pendarves, T. Duncombe, and Ewart, the Earl of

Arundel, Sirs G. Strickland, H. Fleetwood, R. Lopez, J. Duke, J. Hanmer, R. H. Inglis, and W. Clay, Colonels G. Langton, Fox, and Rushbrooke, Lords J. Manners, M. Hill, Ebrington, Viscount Duncan, and Dr. Bowring, from an immense number of places, against the Factories Bill; and by Mr. Dickinson, from places in Devonshire, in favour of the same.—By Mr. Broadwood, from Bridgewater, and Leominster, against the Turnpike Roads Bill.—By Messrs. Long, Round, and Turner, and Colonels Rushbrooke, and Sibthorp, from a number of places, against the Canada Corn Bill.—From Sligo, against the Repeal of the Union.—By Sir J. Hanmer, from Hull, for carrying out R. Hill's Plan of Post-Office Reform.—By Lord J. Manners, and Mr. Ferrand, from Haworth, Stanbury, and Bury St. Edmunds, in favour of the Waste Lands Allotment Bill.—By Mr. Wyse, from Tristam Kennedy, for better regulating the Legal Profession in Ireland.—From Christ Church (Surrey), in favour of the Health of Towns Bill.—From Waterford, and Cork, against the Municipal Corporations (Ireland) Bill.—From Bingley, and York, against the County Courts Bill.—From Shalfleet (Isle of Wight), for the Repeal of the Malt Tax.—From Ipswich, for Establishing Home Colonies.—From Limerick, against the Poor Relief (Ireland) Bill.—From Sawyers in Glasgow, for a Tax on Saw Mills.

Church of Scotland.] Sir *Andrew Leith Hay*: I beg to ask the right hon. Baronet whether he have received official information as to the extent of secession which has already taken place from the Church of Scotland? Secondly, I wish to ask whether it be the intention of Ministers to follow up the declaration contained in her Majesty's letter presented by her commissioner to the General Assembly, stating (when too late) the readiness of the Government to legislate for the settlement of the church question; and if so, whether it be contemplated to introduce the bill formerly proposed by Lord Aberdeen, or any measure of a similar tendency? I do this in order that the people of Scotland may be aware of what they have to expect, and be prepared to resist the same to the last extremity.

Sir *James Graham*: The concluding observation of the hon. Gentleman has taken me by surprise. The first question was, whether the Government had received official information as to the extent of the secession from the Church of Scotland? I have only received this morning from the high commissioner the answer of the General Assembly to her Majesty's address. That was accompanied with an official statement, and with a protest, which has already appeared in the ordinary channels. I cannot collect from the protest a declaration of absolute secession from the church; I collect from it only a secession from the General Assembly. The commissioners statement is to the effect that ninety-three endowed ministers of the Established Church have retired, besides a great number of lay members, and some *quoad sacra* ministers. With regard to the intention of the Government, as to legislative measures, I have at this moment nothing to add to the declaration made in this and in the other House of Parliament by her Majesty's servants. The assurances we have given we are perfectly prepared to fulfil.

Prince Edward's Island.] Dr. *Bowring* begged to know from the right hon. Gentleman the President of the Board of Trade whether, having seen in the public journals that the legislature of Prince Edward's Island levied a duty of 4*s*. 6*d*. on foreign wheat, her Majesty's Government would extend the boon—if boon it was—they were conferring on Canada to the colony of Prince Edward's Island?

Mr. *Gladstone* said, that the question of the hon. Gentleman was the first intimation he had of such a bill being passed. Her Majesty's Government could not, therefore, have considered the subject.

Factories.—Bills affecting Religion and Imposing Taxes.] Mr. *Blewitt* wished to put a question to the right hon. Baronet as to the irregular mode in which the Factories Bill had been introduced. By a Standing Order of the House, passed in 1772, it was laid down that no bill relating to religious matters could be brought on without a resolution in committee of the whole House. This Standing Order was acted on in a bill brought in in 1780, and he contended, that this bill as much related to religion as the one then introduced. If the right hon. Baronet felt any doubt on the subject, he ought to have given the benefit of that doubt to the immense number of petitioners who complained of the bill. There was also another objection. By one of the Standing Orders of the House, no bill imposing any charge upon the people, could be introduced except in a committee of the whole House. Now, by the 74th clause of the bill, the trustees were empowered to borrow money for the purpose of building these schools, and by another clause the trustees and overseers of the poor were authorised to discharge the expenses incurred in the maintenance of the schools out of the parochial rates.

Sir *J. Graham* would allude to the last portion of the hon. Gentleman's queries first. Not to weary the House with precedents, he would only allude to three measures, each of which had been introduced without having previously gone through committee; those were, first, the Metropolitan Police Act; secondly, the County Constabulary Act; and thirdly, which was a case directly in point, inasmuch as it imposed a rate where no rate had previously been ever imposed, the act establishing poor-laws in Ireland. All those had been introduced without having been previously submitted to the consideration of a committee. Then with regard to the second point, that there were certain clauses in the bill referring to religion, he would state that an act had been passed expressly designed for the regulation of education in Ireland, which had quite as great reference to matters of religion, as the Factories Bill, and that act, had been introduced without having been previously submitted to a committee. And there was the Factories Act, which had also been introduced without going through committee.

Subject at an end.

CANADA CORN-LAW — ADJOURNED DEBATE.] The Order of the Day for resuming the adjourned debate on the Canada Corn question having been read,

Mr. *Wodehouse* said, that the only apology he could make for intruding himself on the House on so important a question, was the fact of finding himself opposed to a Government similar in principle to those Governments which for four and twenty years he had supported. The noble Lord the Secretary for the colonies had said, that the measure was simply a boon to the Canadians; he wished he could look upon it in that light, the more particularly as he understood that on its success rested the existence of the present Government, or at least the retention of office by the noble Lord. The noble Lord should recollect that he belonged to a Government which belonged to the world, and the world could not afford to have its interests circumscribed within the narrow limits of personal honour. No matter how personal honour might be engaged, he believed that the measure now proposed would be detrimental to national interests, and holding that opinion he felt bound to declare it, and to ratify his opinion by his vote. The right hon. Gentleman the President of the Board of Trade had stated, that no smuggling could take place under this law, but he begged to remind him that British machinery was every day smuggled into Switzerland to cheat the Customs of Austria and France. A very small portion of smuggled corn coming in at a particular juncture might seriously affect the markets, and in that case the millers would be the parties who would suffer most. The millers considered themselves to have been very badly treated, and had stated to him that the Legislature had shut its doors against them. He was bound to say, that he believed their statements to be correct. The right hon. Gentleman had alluded to prices, but it appeared to him that this was a subject which ought to be connected with another —namely, the renewal of the charter to the Bank of England. It was also his opinion, that much of the distress was owing to the manner in which the currency question had been settled. It was said, that our Corn-laws had produced an ill feeling and a hostile tariff in the United States. Now, he wished to call the attention of the hon. Member for Montrose to an extract from the report of the Hand-loom Weavers' Commission, held in 1840. Mr. Dickson, the hand-loom weavers' commissioner, stated that our Corn-laws were an apology for high tariffs against British goods by foreign nations, and he quoted the opinion of the American minister at Washington, in a note addressed to Sir Stratford Canning, in which Mr. Addington, the American minister, was alleged to have said—

> "I have only to add that, had there been no restriction on the importation of foreign corn into Great Britain, the tariff never would have passed here."

Now, this was a declaration very much in favour of the arguments of the hon. Member for Montrose. But his answer was, that this extract was a most incorrect version. What Mr. Addington said was this—

> "I have only to add, that had no restrictions on the importation of foreign grain existed in Europe, generally and especially in Great Britain, these tariffs never would have passed."

Would not the hon. Gentleman the Member for Montrose admit that this was different from the statement the hon. Member had quoted, and that it bore out what Mr. Clay, an authority on American affairs had stated, that it was impossible to carry out the principles of free-trade unless all nations consented? He trusted he might be permitted to state the grounds on which he believed the Corn-laws might be defended. This everlasting teasing must lead to the discouragement of the agriculture of the country. Yes, the everlasting teasing of those who sought to repeal those laws must ultimately lead to the discouragement of the agriculture of the country. He contended that the perpetual din against the Corn-laws must inevitably lead to the discouragement of agriculture and of the cultivation of the soil. Suppose, in the course of nature, they were to have such a recurrence of seasons as between 1795 and 1801, what would be the result, when they could no longer be saved by the superior cultivation of the soil, which, in the plenitude of their conceit, they were now seeking to destroy? This was the ground on which the Corn-laws were to be defended. The fluctuations, of which so much had been said, were less in England, during the existence of the last Corn-law, than during the previous 200 years; and, by returns presented last year, it appeared that, with the exception of Sweden, the fluctuations in the price of corn were less in England than in other continental countries where no Corn-law existed. Feeling as he did, he was compelled to do his duty, painful as it was, without looking either to the right or the left; and, though he had been attached to the principles of the present Government all his life, yet he must, on this occasion, vote against the bill and against the Government.

Mr. *Ellice* said, if he were to follow his hon. Friend he should have to enter into a discussion on the general question of the Corn-laws. The opportunity of doing so was certainly rather tempting to him, inasmuch as during the recent debates on that question he had—as he thought he ought to do—given way to younger Members representing large constituencies, who were anxious to address the House, instead of reiterating the opinions which he had declared on many former occasions. He had lately given what might be considered a strong vote on the subject of the Corn-laws. He had given that vote because it was his conscientious opinion that of all taxes which could be devised, the worst was a tax on the food of the people. He had given that vote also in the belief, founded on some examination of the subject, that English agriculturists, possessing the skill and other advantages which were justly claimed for them by their advocates, had nothing to fear from competition with the agriculturists of the whole world. But, although these were his opinions—opinions not lightly taken up, but formed after great inquiry into the state of agriculture in various parts of the world—he had had too much experience of the evils arising from sudden changes in our fiscal regulations—whether the changes were founded on a good or a bad principle—to be anxious for any violent change. He believed, that if but a little moderation were exhibited on both sides, the necessary changes might be gradually made with advantage to the various interests of the country, and ultimately we should arrive at the desired result, that this country, without restrictions on commerce or taxes on food, might safely compete with the agriculture of the world. His hon. Friend had adverted to a subject which was of a rather inviting character to him, namely, the old question of the currency in connection with the Corn-laws on account of the part he had always taken on that subject. What was the history of the present Corn-laws? For many years the country, under the temptation of relief from the pressure of the moment, thought proper to depreciate the standard of value, until, at last, towards the end of the war, the only question mooted was whether the depreciation had extended to one-half or one-third of the value. It had been said, that the act of 1819, known as the bill of the right hon. Baronet, the First Lord of the Treasury, had effected the change which then took place in the currency, but that was not the case; the change began in 1815. On the return of peace it was announced that the Government was determined to restore the former standard of value. That was the origin of the Corn-laws. Those laws were proposed to protect the landed interest from the consequences which the change in the currency had entailed upon every debtor interest in the country. When the right hon. Baronet brought in his bill, in 1819, he divided the House against it, not because he differed from the principle of the measure, but because he had fearful anticipations of the consequences which the proprietors of the country, in ignorance, were going to take upon themselves. All that, however, had gone by. It was impossible to go back; and although he was one of those who were most anxious and apprehensive on the subject of the measures adopted with respect to the currency, yet from the time when Parliament came to a final decision on the question he had always opposed, and, as long as he might have a seat in that House he always would oppose any reconsideration of the matter. He had gone further than most of his friends in this respect, for he had opposed several little alterations to which they had assented from time to time, and which he thought tended to a return to the old state of things. He did not like to see bank notes made a legal tender under any circumstances. The Corn-laws were passed as he had before stated, to shield the landed interest from the effects of the change in the currency, but from time to time, since 1815, it had been found necessary to lessen their pressure on the community. It was said, that the Corn-laws would now remain as they were; but he did not believe that there was any man in that House, and scarcly any man in the country, who put the least faith in that statement. The hon. Member for Norfolk complained that the present measure was a meddling with the Corn-law. Why, good God, how could it be otherwise? Look at the efforts of those gentlemen whom the hon. Member had, as he thought, unjustly depreciated—he meant the Anti Corn-law League. What had that association sprung from? It was not of natural growth; it had sprung from the feelings of the people that they could not rely on the justice of that House, and it became them to take some measures to counteract the power of the landed interest. He had always refused to belong to that association, because he could not be present at its discussions ? and he did not like to be made responsible for the heat, excitement, and exaggeration which must naturally prevail when men were debating on a subject so full of points of irritation and anger. For that reason he had always refused to belong to the League; but he was not the less sensible of the advantages which, from their exertions, had resulted to the suffering people of this country. When he rose he did not intend to say one word on the general question of the Corn-laws; but he had been led astray by the hon. Member for Norfolk, who certainly had addressed very few arguments to the question under the immediate consideration of the House. It occurred to him as probable that his experience in Canadian affairs might enable him to give the House some information bearing on the subject before them, and that he might also correct one or two erroneous statements which had been made, doubtless unintentionally, but which, unexplained, might exercise considerable influence on the opinions of some hon. Members. The first erroneous statement he would notice was made by the hon. and learned Member for Bath. It was new to him to hear, as the hon. and learned Member had stated, that Canada did not grow corn enough for her own consumption. It was true that, during the last three or four years, in consequence of the crops being destroyed by the fly, a great deficiency of produce had been experienced in Lower Canada; but he was old enough to recollect that there used to be considerable exportation of corn from Lower Canada to this country, and to Upper Canada when that province was not able to provide itself with food sufficient for its own population, and the numerous emigrants who were occasionally poured into it. The statement of the hon. and learned Member was correct, if applied only to a recent period. During the last three or four years the crops in Lower Canada had been completely destroyed, and he believed that the wisest course which the people of that province could take, would be to abstain for a year or two from growing corn, in order that the fly might not be generated in the seed. With respect to Canada, he would say this, that if the gentlemen of England really wished to encourage agriculture in that country, and to encourage also the stream of emigrants—whom every man must wish to see settled in a comfortable state on their arrival in the colony—there were no means by which they could effect those objects at less cost to their own interests than by establishing a free trade in corn between Canada and this country. Abstractedly speaking, the bill to be proposed by the Government contemplated a free trade in corn between Canada and England. He did not look to the indirect trade with the United States. If his noble Friend (Lord John Russell) could give them free trade with the United States, as well as with Canada, he would vote with him, because that would be a greater boon than was offered by the Government; but his noble Friend knew that no Government could do that at present. Everything which was done in the way of concession—in the way of abolition of restrictions on trade—must be in the nature of compromise. He wished it were otherwise. He had voted for the abolition of all duties on corn; but he had lived too long in the world to refuse, because he was unable to obtain all he wanted, to get what he could—more particularly when it would be a step to something better. He objected as much as his noble Friend to the restrictions imposed on the trade between Canada and the United States. He had no doubt they were contrary to all principle, and that they were open to all the objections which had been urged by his right hon. Friend (Mr. Labouchere), for he at the same time, knew that Canada was suffering from protection, having been suddenly withdrawn from one of her important interests by the alterations made in the timber duties. If the noble Lord opposite would amend his measure, and give them free trade with the United States, he should like it all the better; but the hon. Gentleman behind the noble Lord would exclaim—"the present proposal is bad enough; for God's sake do not open the flood gates of importation from the United States." The hon. Member for Bath was mistaken when he supposed there was any inability on the part of Canada in common years, and more particularly in years of abundance, to grow more corn than was sufficient for her own consumption. Though it would be unreasonable to expect that Canada could supply this country with any very great amount of corn, still she would, generally, have such a surplus for exportation as would greatly increase the trade between the two countries. The hon. and learned Member for Bath made another statement, in which he could not concur, as to the risk which there would be of smuggling American wheat into Canada. He knew the whole country well, and could undertake to say that wheat could be smuggled into Canada, in any considerable quantity, only from two directions; one was from the Genessee country, bordering on Lake Ontario, and the other was from the western country, above the falls of Niagara. Now a quarter of corn weighed nearly 500lbs, and in a country where transport, particularly by land, was most expensive, was there any temptation to escape the payment of 3*s.* of duty by smuggling an article of five hundred pounds weight? His right hon. Friend near him (Mr. Labouchere) talked a good deal the other night about tea having been smuggled across the frontiers. No doubt an article which could be put into a man's pocket would be smuggled across an ill-defined frontier, but the case was different when the article was bulky, and when the whole sum which could be gained by smuggling 500lbs amounted to only 3*s.* To those who were afraid that the proposed measure would involve us in difference with our American neighbours, he would say, that the danger which he foresaw was not that of smuggling from the United States into Canada, but of smuggling from Canada into the United States. But unless his noble Friend was prepared to impose new restrictions on the intercourse between the United States and Canada, it would be impossible to avoid that evil. It had been truly stated, that all the wheat which would be fairly introduced into Canada from the United States, would pass along the Welland Canal; and he could inform the House, that the wheat which might be smuggled must be carried by land twenty-five miles. Some hon. Gentlemen opposite, knowing his opinions, might perhaps be disinclined to accept his statements; but he could assure them that the notion of smuggling wheat into Canada was perfectly visionary. He must be allowed to qualify that statement in one respect. During the winter, a small quantity might be carried over on sledges; but it would be an extravagant calculation to estimate it at more than a few thousand quarters. He quite agreed with his hon. Friend the Member for Wolverhampton, that it would be much better to put the 4*s.* duty on the corn from New York, and allow it to come here direct from that place, than to compel it to take this circuitous route; and he had strong hopes that when the result of the proposed experiment had been seen, her Majesty's Government would have it in their power to effect such an improvement. English agriculture, with the superior skill of our agriculturists, and their greater command of manual labour, would be able to stand the competition of the agriculture of all the rest of the world. It was true, if they went back into the great plains in the interior of America wheat might be cultivated there at less expense than in this country; but then, they wanted there what they had in abundance in this country — namely, human labour; to say nothing of the great expense of transport down the Mississipi, in vessels which, as they could not be taken up the river again, must be broken up and burnt for firewood. The charges of conveyance from the interior of America were known only to those who had visited the country. The only wheat-growing states on this side of the Alleghanies, were New York and Pennsylvania, and perhaps a little might come in from Virginia. When he was last in America, in the year 1836, he found that New York was receiving supplies of corn from Canada, and hay from France. A great deal of argument had been founded on the evidence furnished by the Canada papers, relative to the protection to agriculture which this measure would give in Canada; to that evidence, he attached so little importance, that the moment he heard this subject was under discussion, he put away all his Canada papers, for he knew too well how evidence of such a kind was likely to be influenced. Before he gave his vote, it was necessary for him to address the House, because he totally differed from his hon. Friends near him as to the policy of the course they had deemed it proper to take. He could not, on any account, concur with his right hon. Friend, the Member for Taunton, in addressing her Majesty to disallow a measure that had been passed unanimously, or nearly unanimously, by a great Legislature, for such the Legislature of Canada was now, and passed, moreover, in consequence of a direct encouragement held out to them by the mother country. Parliament, he knew, was not bound by the policy recommended by any Ministry to Canada; but he must beg his right hon. Friend near him to consider the peculiar position in which that colony was placed. Parliament had but lately determined upon a great experiment—perhaps a doubtful experiment—for the Government of that country. One of the ablest men of this country had been sent out to administer the affairs of that part of the empire, to conciliate clashing interests, and to allay the passions of different sects and parties; and did his right hon. Friend think it was safe, at such a juncture, to address the Crown to disallow an act which the people of Canada, rightly, or wrongly, believed was calculated to promote their interests? He perfectly agreed with his right hon. Friend respecting the impolicy of the restriction with which this boon was burthened, and would much rather have had it without any such restriction; but the boon, it appeared, was one that could not be granted to Canada without some compromise; and all Canada was expecting the boon, and was persuaded that it was a boon. Besides, he looked upon the measure as some approach, though a small one, to free trade; it was an advance towards the accomplishment of his own principles; and, under such circumstances, he could not do otherwise than vote for the proposition of his noble Friend (Lord Stanley.) Canada was suffering at this moment under great commercial embarrassment, such as never had afflicted that country before. The trade of Canada was under the greatest depression, and by refusing this measure, this boon, which the people of Canada expected, and on which they set a high value, Parliament would add to the already existing embarrassments of that colony, and to the difficulties with which the governor would have to contend who had been sent out to restore concord there.

Mr. *Trotter*, as an extensive agriculturist himself, and representative of an agricultural constituency, thought the fixed duty of 4*s.*, which this measure would impose upon American wheat coming through Canada, was a far better protection than the fluctuating duty from 1*s.* to 5*s.*, that now existed. The average duty per barrel levied on flour, under the present system, was 1*s.* per barrel, and under the proposed one it would be 2*s.* 5*d.* He cordially supported the motion of the noble Lord (Lord Stanley), and considered it most prudent to foster Canadian agriculture, in order that this colony might take from us a larger amount of our manufactures.

Mr. *W. Smith O'Brien* was anxious to state the grounds of the vote which he intended to give. When the Corn-bill was under discussion last year, he proposed a clause to allow colonial wheat to come in at a duty of 1*s.* In proposing this clause, he had certainly no intention of promoting the surreptitious introduction of American corn through Canada; his object had been merely to do what he considered an act of justice to the colonies. There was a school of political economists, he knew, who showed themselves more desirous to encourage importation from foreign countries than from our own colonies, but to that school he did not belong. As an abstract principle, he was quite ready to admit the policy of the most unlimited free-trade; but, if adopted by this country, it must be adopted simultaneously by other nations also; and if, by sanctioning differential duties, he could succeed in turning the stream of emigration to our own colonies rather than to foreign countries, he was quite content to bear the taunts that might be thrown out against him for so doing. The measure proposed by her Majesty's Government would not carry out the full principle of his motion of last year, and he could not but make it matter of complaint that the operation of the bill was to be confined to one colony. The Legislature of Prince Edward's Island had made a similar request last year, and had met with a refusal. Why was this? The only real question to determine was whether the duty imposed by the Canada Legislature was a sufficient equivalent for the protection now enjoyed by the agriculturists, and he (Mr. S. O'Brien) certainly thought the fixed duty of 4*s.* quite as efficient a protection as that which at present existed. He would pass over the argument respecting the possibility of smuggling from the United States. That part of the subject had been pretty well exhausted. It had been argued that this advantage ought not to be given to the colonies, because they were not liable to the same taxation as this country, but that was an ungenerous argument, and one to which much importance ought not to be attached. He should have thought that the friends of free-trade would have readily agreed to this measure as far as it went, and he was surprised that the right hon. mover of the amendment should have rested so much stress on the danger of raising up a new vested interest in Canada, seeing that he (Mr. Labouchere) was the very Member of the Government who proposed the measure by which the East Indian sugar grower was placed on the same footing as the West Indian. He could not persuade himself that the corn growers of this country really felt jealous of the successful industry of their Canadian fellow-subjects. The greatest amount of wheat ever imported into this country from Canada, in one year, including what had passed through the colony from the United States, did not exceed 250,000 quarters; and his impression was, that Canada corn would never be imported into this country with advantage when prices were below 52*s.* or 53*s.* Upon the whole, he should give his vote with great cheerfulness for this measure, but not from any confidence in the present Government, whose continuance in office, he believed, was a real calamity to his country; and so strongly was he persuaded of this, that if his vote could have the effect of putting them out of office, he was not sure that he might not be tempted to vote against his own proposal. But he had not yet arrived at that stage of political morality, and he would now only entreat the noble Lord the Secretary for the Colonies to concede to other colonies not equally powerful a measure similar to that he was about to propose in favour of Canada.

Mr. *Buck* said, that when the right hon. Baronet had last year brought forward his scale of duties, he had lent him his support, in the belief that the measure then proposed would have the effect of settling the question, and he must regret that the result had not realised the expectations of the right hon. Baronet and the country by securing for corn a price of 56*s.* or 58*s.* He believed that the introduction of American corn at a low duty through Canada would be alike injurious to the millers and the agriculturists of this country, particularly at a time when, instead of 56*s.* or 58*s.*, they were scarcely able to realise 46*s.* Nothing was more injurious to the agricultural interest than uncertainty, and with much pain he felt forced to admit, that within the last two years the state of uncertainty had been greater than at any other period within his recollection; and when he reflected on the means and capabilities of America, and on the great impulse that would be given to Canada by this measure, he thought there was quite enough to arrest the exertions of the most indefatigable agriculturist of this country. Why should the noble Lord disturb the present arrangement? All the country asked was repose, but that it never could have until her Majesty's Government consented to pursue a course different from that they had pursued of late. They were about to legislate, moreover, on very insufficient information, which, indeed, had been ridiculed by every one who had spoken. On this point he perfectly agreed with what had fallen from his hon. Friend the Member for Dorsetshire, and with such information he could not give his vote for the proposition of her Majesty's Government. He could not give his support to any measure which would reduce the price of agricultural produce lower than at the present moment. The right hon. Baronet said, when he imposed his Income-tax last year, that the farmer would not feel it; the landowner and occupier were, however, both called on to contribute 3 per cent. of their incomes, and the produce of the soil was reduced 50 per cent. in value. That might be thought an extravagant statement; but in order to obtain proof of it he had adopted the measure of writing to the clerk of the union in which he resided for a statement of the amount of the contracts during this year and the last, and found the result to agree with what he had said. The burthens on the agricultural interest were at the same time increasing; the payments on account of poor-rates were larger, though it was said the rates had been reduced 25 per cent., and the expense of gaols, constabulary, and other items charged on the county rates had greatly increased. He thought it a bad return of her Majesty's Government to the agricultural interest for its support, to bring forward a measure such as this, which would have the effect of placing the agriculturists in a position more galling than any in which they could be placed. Those who had come into the House with the determination to resist measures of free-trade, must feel themselves aggrieved when they were asked to support such measures. He could understand the course taken by the hon. Member for Wolverhampton on the Corn-laws, which was at least consistent. If that measure were carried, it would be the means of throwing out of cultivation thousands and tens of thousands of acres of land; and he had never heard what was to become of the honest and industrious individuals who cultivated it. Were they to be driven to seek a precarious livelihood in the manufacturing districts, or forced to spend the remainder of their days in the workhouse? That would be the end of such measures as those to which he referred, and, therefore, he was fully determined to resist the adoption of any measure which would tend to place the agricultural interest in a still worse position than at present.

Sir *C. Napier* had never seen a plain, simple, straightforward matter, so completely misunderstood as the present. Parties were now placed in an extraordinary position. Gentlemen opposite complained of the noble Lord for giving them an additional duty on Canadian corn, and Gentlemen on that side were praising the noble Lord for putting on a higher duty than before. He thought it impossible to misunderstand what the noble Lord (Lord Stanley) said. The noble Lord distinctly declared that he was not going on the road of free-trade, but that he meant to give protection to the agricultural interest of Canada. More than that, the noble Lord warned hon. Gentlemen on that side, if they were friends to free-trade, to vote against the motion, and he for one intended to take that advice. The duty proposed by the noble Lord was one of 4*s*., double the average duty of 2*s*. 1*d*. under the old sliding-scale. The effect of it would be to check the importation of corn from the United States to Canada, and therefore also from Canada to England, because all the Corn which Canada sent to England must be replaced by corn from America. As to the duty on corn in this country, under the new law the average was 8*s*. 5*d*. a quarter, while the well known proposal of the noble Lord the Member for the City of London, was a fixed duty of 8*s*., so that the difference between the noble Lord and the right hon. Baronet opposite, was only one of 5*d*. It was his determination to vote for the motion of the right hon. Member for Taunton.

Viscount *Sandon* said the noble Lord near him had made a statement as to the expense of conveying corn from America to England, which, if correct, was quite sufficient to remove from the mind of even the most sensitive agriculturist any alarm he might feel as to the probability of an inundation of Canadian wheat and flour. Doubts had been thrown on that statement, but he had referred to a very intelligent merchant, unconnected with the North American colonies, and had found that the noble Lord's statements were rather under than over the mark. It was impossible that any very great quantity of corn or flour could be introduced into this country from Canada until the facilities of internal transport in America were greater and the expenses less. It was of great importance that that colony should be treated as a part of the United Kingdom; for having united the two provinces, and formed of them one flourishing and powerful community, we could only retain them in the empire by the tie of amity. For himself, he would have no great apprehension, even if there were no duty imposed on wheat crossing the frontier of Canada; and as to the fear of smuggling, he confessed that seemed to him one of the idlest apprehensions in the world. He supported the measure, because it would increase the revenue of the colonial treasury, and provide a larger market for the Canadian farmer, and probably also furnish increased employment for the British navy, while no quantity of corn could come in, that would be sufficient to overflow the market of Britain, and further depress the agricultural interest.

Mr. *Hawes* did not believe, that the Friends of the noble Lord opposite would desert him on this occasion, and therefore he attached no importance to the intimation of the noble Lord, that the proposal of the scheme might probably be his last official act, should Parliament advise the Crown to withhold its assent from the Colonial Bill. The only question they had to consider was, whether they should or should not give their consent to the Colonial Act. He contended, that they were not interfering with the colonial legislature in the course proposed by his right hon. Friend, for they were acting in accordance with the usual practice observed on similar occasions. The act had passed the colonial legislature clearly in contemplation of a discussion upon the subject in this House, and of course the Canadian legislature were aware they must abide the consequences. He particularly wished, as a free-trader, to address himself to the free-traders in that House, and he would ask them whether they could by any possibility, consistently with their own views, support that act? What was the preamble of the act? An assertion of the principle of the English Corn-laws. He would distinctly state, that the object of that act was to give protection to the native agriculturists. Now, he understood his hon. Friends around him stoutly to object to the enunciation of that principle, directly or indirectly. If, therefore, they voted against his right hon. Friend in support of the bill, they would be acting in flat opposition to the principles they had from time to time advocated in that House and elsewhere. The hon. and learned Member for Bath made out conclusively he thought, that Lower Canada did not grow enough corn for her own consumption, and that she would have to look for the next one or two harvests to a foreign supply. Besides that, every one knew that the trade in Upper Canada had been a trade in American wheat. The right hon. Gentleman the Vice-President of the Board of Trade had stated that in former debates, and yet they were now about to exclude the American wheat, by imposing a duty of 3*s.* on its admission into Canada. The practical effect of the noble Lord's measure would be, with the hope of encouraging the produce of Canada to keep out American wheat, of which Canada obtained a supply in times of scarcity. But could it benefit the consumer here? The noble Lord said, it was a boon perfectly insignificant—an amendment of such a limited scope as to be scarcely worth consideration—that it was utterly impossible any great quantity of wheat could come in, and that hon. Gentlemen need not be alarmed; and he would frankly tell them, that this bill as a means of increasing the introduction of corn, was mere waste paper. It was essentially a protective measure, and his astonishment was, that any Gentleman connected with an agricultural county would not support it. They would see, that it was not a bill that would do them any harm; but let not his hon. Friends take the extremely opposite view of the case, and say that they got one tittle of improvement in free-trade by it. The noble Lord went into statements, showing the quantity of corn that had been from time to time imported, and said, that the imports from 1830 to 1843 were 1,153,000 quarters, and that 378,000 quarters of that came in at 67*s.* Now, under the old law, he meant before the measure of last year, supposing the price to be above 67*s.*, whatever additional supply came in would be charged with a duty of 6*d.* only. But by the measure of the noble Lord, that would now be changed to a duty of 4*s.* That was the effect, therefore, upon the consumer here. But he would go further. According to the returns he found, that since the passing of the Corn-law in 1828, from 40 to 41 per cent. of all colonial flour and wheat had come in at a duty of 1*s.* Now, the effect of the noble Lord's measure would be to admit that produce not at a duty of 1*s*., but at a duty of 4*s*. Another strong argument against the noble Lord's measure was, the temptation it afforded for smuggling. The House had heard the testimony of the hon. Members for Coventry, Bath, and Liskeard, that the measure was likely to lead to an extensive system of smuggling. One of those hon. Members had said that the homeward bound vessels would smuggle, and that could not be prevented in the St. Lawrence. The hon. Member for Coventry had said that 100 quarters might be smuggled; but if 100 quarters might be smuggled, he would like to know why 100,000 might not be smuggled also. If it would pay to send over 100 quarters, it would pay to send over 100,000. The smuggler only wanted to know whether he should gain profit upon his enterprise, and if he could only make as much as was gained by the regular trader, there would be smuggling still; and he thought, that smuggling even in flour would go on extensively. The hon. and learned Member for Bath had also asserted that the measure would lead to smuggling and its attendant immoralities. Thus all these authorities on the question agreed in the opinion that under the operation of the proposed measure very extensive smuggling, or at all events smuggling, would be entered on. The measure was supported by some hon. Members, because it was an acknowledgement of the principle of a fixed duty. The noble Lord, in opening the subject, appeared to touch this part of it very tenderly, fearing perhaps what might be said to him on some future occasion, when the question of a fixed duty for this country again came before Parliament. But to those who were prepared to support the measure because it admitted the principle of a fixed duty, he would observe that there was a great difference between the proposition of a fixed duty as regarded this country and as regarded the colony. Much as he desired to see the Corn-laws done away with, he could yet contemplate the possibility of a fixed duty being necessary for the sake of revenue; but a fixed duty on Canadian flour and wheat would put three-fourths of the duty levied into the colonial Exchequer, not into our own. This, he conceived, made a material difference. But admitting for a moment that the views of the Canadian legislature were to be acceded to, what equivalent did they offer? Did they propose to reduce their duties on our manufactures imported into Canada? Nothing of the sort; no such proposition was made to us, except, indeed, in some vague intimations of a probable movement to that effect in the Canadian legislature. The fact was, the noble Lord must have some very strong reason behind, that could thus induce him to bring forward a measure involving a principle so troublesome to the Government at the present moment, and so likely to arouse against them their own supporters. Could it be that the noble Lord had found that a proposition of the kind was a good means whereby to rule and manage the Canadian Parliament. The noble Lord was going to raise the price of land in Canada. He (Mr. Hawes) knew that the effect of the measure must be to raise the price of land there. Indeed, that object was avowed in the papers laid upon the Table of the House; for it was said that the measure would stimulate emigration, and if emigration was stimulated, the competition for land must be encouraged. This country was at present involved in a fearful struggle for the repeal of the Corn-law and was that a time to impose a Corn-law in a colony? Did the Government think there would be hereafter no struggles in Canada for the repeal of the Corn-law about to be imposed—that there would be no contests between the owners of land there, and the advocates of free trade? He still thought that the Corn-law of last year was an improvement, but considering the principle that had been enunciated by the right hon. Gentleman, he was really astonished that he should now ask the House of Commons to give their assent to the measure now under consideration. He confessed that a knowledge of these facts led him not to pay so much attention to the opinions of the hon. Member for Coventry and other Members, as perhaps, they might really deserve. He repeated that he thought that we ought to derive some benefits in return from Canada by the reduction of duties on our manufactures. For the last ten years our exports to that colony had been nearly stationary with the exception of 1840 and 1841, in which years, in consequence of the high price of corn in England, there was a much larger importation from Canada. In 1840, when corn was at 66*s*. 4*d*. here, we imported 670,000 cwt. of flour, and 801,000 quarters of wheat. In 1841, when corn was at 64*s*. 4*d*., we imported from Canada 682,000 cwt. of flour, and 70,000 quarters of corn. Now, if the object of this measure was to give increased facilities of export to Canada, surely we ought to have a corresponding advantage in a reduction of the duties on our manufactures. He deprecated the measure, however, as an introduction into Canada of the elements of the Corn-law dispute which now agitated this country. Why did the right hon. Baronet at the head of the Government, after all the opinions he had expressed in that House, seek to originate in Canada the strife between manufacturers andlandowners? The measure, too, was an unfriendly one towards the United States, and that at a time when their tariff was likely to come again under consideration, and to be dealt with cacording to the spirit, whether friendly or hostile, in which we might meet them. A more unfavourable opportunity for such a measure, could not have been chosen, for we were about to impose an additional duty on corn and flour imported from Canada, when hitherto what had been imported, had been American produce, and not the excess produce of Canada. The measure would in this respect be a great blow to American trade, and be regarded as such by the United States. It was stopping the indirect trade at the very time that you afforded no evidence of a disposition to give facilities to the direct trade. On the other hand, from all the accounts to which he had been able to get access, he did not see that the importation of corn from America would be such as ought to give the landholder any just ground of fear. They ought rather to look to Dantzic as the port from which the greatest supplies might be expected. He did not, however, for the reasons he had stated, look at this measure as really one in advance towards free-trade. The noble Lord had himself called it an insignificant boon to Canada; and he (Mr. Hawes) agreed with him in the opinion as far as it went; but he also thought that it would be really prejudicial to the colony, and that it would set one class against the other, and excite the same disputes that now raged in this country, and he, therefore, hoped that the noble Lord would not proceed with his measure, but agree in advising the Crown not to give assent to the act of the colonial legislature.

Mr. *Darby,* alluding to the right hon. Gentleman, the Member for Taunton, asked whether it were to be expected that a Member of the Government which had carried the union between the two provinces of Canada should step in between that united legislature and the Crown, and propose an address to her Majesty to the effect that, under no circumstances, the royal assent should be given to the first act they had passed. He should give his opposition to the amendment of the right hon. Gentleman, for he thought it would be better to decide upon the proposal before the House than to address the Crown to withhold assent from an act of the Colonial Legislature. With respect to the measure before the House, as far as differential duties went, he was in favour of it. There must be differential duties while there was a colonial system, and without protection there could not be that colonial system upon which the greatness of the country so much depended. When, however, the duties upon colonial produce were so small as to interfere with the labour and capital of this country, then there was an undue extension of that principle. If it was admitted that this measure would not introduce Canadian wheat to such an extent as to affect the interest of the producers of this country, then he said it was not a measure of free-trade. He contended that a fixed duty could not be maintained in this country, and if passed by the Legislature, it could not be supported. What was wanted was prohibition when home produce could supply the country, and free importation when it could not. He thought the present measure would disappoint the expectation of persons who held the doctrines of the Anti Corn-law League, and for this reason, that he thought the duty upon wheat coming from America was fully as good as before. He thought, also, if they gave Canada this boon, it would be an additional reason why the question of the Corn-laws should not be dealt with hereafter, and that a proposition to deal with them would not be listened to, because then a new source of supply would have been opened to this country. With regard to the operation of the present law, he admitted he had been one of those who thought, when it was proposed, that the scale was too low. He had not yet had the opportunity of determining whether he were right or wrong in that opinion. Although he had tried to get a higher scale yet he could not at this time honestly say that the new law had been the cause of the present depression of prices. There had yet been no experience of the working of the law. If the measure now proposed was to lead to depression of prices, he for one would be no party to it. He had found that the papers laid before the House were inaccurate, and the statements and calculations not to be depended upon. He was, therefore, for the present without information, and had to seek it where he could. Under these circumstances, he should claim in every stage of the bill, up to the third reading, the opportunities of gaining information, and if he found the effect of the measure would be to depress prices, he should then vote against it. But if, on the other hand, he found that the hon. Member for Lambeth was right, and that it was a measure of protection, and not of free-trade—not one that would admit corn to the injury of the agriculture of this country—it should receive his support. He confessed he did not believe, from the statements of the right hon. Baronet both before he came into power and immediately after taking office, that it was the intention of his Government to alter the then existing Corn-law. At the same time he considered the right hon. Baronet was perfectly right in saying that he would not bind himself irrevocably to that law. With regard to the present question, as relating to Canada, he thought that if the Government had had it in contemplation to reduce the present duty of 5*s*. to 1*s*., it would have been stated that the Government would reduce the duty upon condition that the Canadian Legislature imposed a 3*s*. duty on American corn. Throughout the whole of the speeches during the debates on the English Corn-law, no indication of any such intention was given; he, therefore, thought that he and those who entertained similar opinions with himself on this question, had a right to complain. More explicit information ought to have been given; at the same time, if he found that the present measure were calculated to benefit Canada by giving additional employment to labour, while it was building up a buttress in support of the Corn-law of this country, he would readily give his assent to the measure.

Mr. *Hume* was anxious to condole with the hon. Member for North Devon (Mr. Buck), who had told the House that the agriculturists had been in a state of perplexity and uncertainty for three years, and were now in distress, which they could no longer submit to. Now, it was just three years ago, that he and those on his side of the House, told that hon. Gentleman and his agricultural Friends that, if they did not bring this question of the Corn-laws to a speedy settlement, they would be kept in a constant state of perplexity and uncertainty. He, at the same time, stated to the hon. Gentleman and his Friends the Government, that they were attempting impossibilities. They thought, because they had the command, by a majority of the House of Commons, that they could command and keep up the price of corn; but he then informed them, and they had found it out, that they could not do so. If they had yielded a free trade in corn three years ago, or even had agreed to a low fixed duty, they would have been in a much better condition now than they were. He would advise them to profit by the experience of the last two or three years, and come round at once to him and his Friends, and adopt the principle of free-trade. This country and the whole civilized world would be benefited by a free-trade in Corn. Why, according to the hon. Gentleman's own showing, things could not be worse with the agricultural interests than they were at present. He might complain, and threaten not to vote with the right hon. Baronet, (Sir R. Peel), but, if he did not, he must vote with him (Mr. Hume). The hon. Gentleman had no other alternative. He and his Friends were, in truth, the chief cause of all the existing distress in the country; and this the farmers were fast finding out. As his (Mr. Hume's) vote on the present measure would differ from the votes of several of his Friends immediately around him, it was necessary he should explain the grounds of that vote. It was his intention to vote against the amendment of the right hon. Gentleman, the Member for Taunton, and in favour of the original resolution of the noble Lord (Lord Stanley). He did so, not because he considered any material reduction of duty on corn would be effected by it—if they merely calculated that duty at 3*s*. on introduction into Canada from the United States, and 1*s*. on introduction into Great Britain, making together 4*s*. He also admitted, that the imposition of the 3*s*. duty in Canada, was creating a protection to the landed interests there, equally against his own principles as against the consumer in

Lower Canada — of that there could be no doubt. It might appear at first sight a contradiction for him a free-trader, to take the course he intended to take; and it was to explain that which, after due consideration of the state of the corn trade of the Canadas and Great Britain for many years past, was not a contradiction, that he wished to state to the House. In the first place, he would inquire what had been the effect of the law as it now existed, with respect to the importation of flour and corn from Canada? And in reference to this bill and its probable effects, he could not but think, that a most unfounded outcry and alarm had been raised in this country. What were the facts? For the last twelve years—that was to say, from the year 1831—wheat and wheaten flour, from the United States and from every part of the world, had been admitted into Canada free from any kind of duty; and through Canada the same could have been imported into Great Britain at a duty varying according to price, and what had been the result of that trade under that freedom? He would admit, for argument's sake, that the whole of the wheat and flour admitted into Great Britain in that time, was of Canadian growth. The duty in England on Canadian importation had varied from *5s.* to *6d.* a quarter. When the price was *55s.*, the duty was *5s.*; *56s.*, duty *4s.*; *57s.*, duty *2s.*; above *58s.*, duty *1s.*, and *6d.* per quarter, at or above *60s.* In the year 1836, the average price of wheat in England was 48*s.* 6*d.*, and there was not one grain of wheat imported from Canada into England, and only 18,025 cwt. of flour, equal to 5,150 quarters of wheat. In 1837, the average price of wheat was 55*s.* 10*d.*, no wheat was imported, and only 9,528 cwts. of flour. In 1838, the price rose to 64*s.* 7*d.*, and the only wheat and wheaten flour imported was 11,356 quarters. In 1839, the price here was 70*s.* 8*d.*, and yet there were only 27 quarters of wheat, and 27,094 cwts. of flour imported, making together 7,768 quarters. In 1840, the price fell to 66*s.* 4*d.*, and 8,192 quarters of wheat, and 478,969 cwts. of flour were imported. The aggregate stood thus:—

In 1841, the price was 64*s.* 4*d.*, and 70,299 quarters of wheat, and 628,914 cwts. of flour, making the aggregate equal to 249,989 quarters of wheat. In the last year, the price was about 62*s.* 2*d.*, and wheat and flour equal to 183,291 quarters were imported. The average of those twelve years of free-trade in corn between the United States and Canada, and a low duty in England of 2*s.* 1*d.* for the last five years, was only 91,768 quarters yearly.

This small importation was when there was a perfect freedom of trade from all the world to Canada. The House must see how very small an amount of corn and flour was then imported from Canada into England. Consider what were the impediments to importation into this country. In 1839, the duty was only 6*d.* a quarter, and yet no more than 7,768 quarters were imported into England from Canada in that year. If price was any temptation to importation, it then existed; for the price of wheat in this country, in 1839, was 70*s.* 8*d.* a quarter; and yet, with that high price, and that low duty, only 7,768 quarters were brought to this country. If, when the price of wheat was 70*s.* per quarter in England, and the duty only 6*d.*, only that small quantity was imported, what could be expected with wheat as at present under 50*s.*? He, therefore, put it to the House, whether a most unnecessary alarm had not been created upon this subject throughout the agricultural districts of England? He was quite surprised at the language of some hon. Gentlemen on the Ministerial side of the House, who had spoken as if England were about to be flooded with grain from Canada, and the farmers ruined, if this measure were to become a law. As a further proof of the groundlessness of such an alarm, he would state that, in 1841, when the duty was only 1*s.* 9*d.*, and the price was 64*s.* 4*d.* a quarter, only 249,989 quarters were imported in the whole year. He would refer the House to the papers on the Table† where it appeared that returns from thirty-eight counties and towns in Upper Canada were obtained, stating the remunerating price at which wheat could be grown, and the prices given were all at 5*s.*, and above, except three places, where the prices were 4*s.* 6*d.*, and 4*s.* 9*d.* a bushel, or 40*s.* say, a quarter. The expense of bringing a quarter of corn from Chilicothe, in the state of Ohio, to Liverpool, was 26*s.* 2*d.*, viz., 1*s.* 7*d.* per bushel on the average of many cargoes to Montreal, and 1*s.* 7½*d.* thence to England, which added to 40*s.*, cost of corn itself, would require a quarter of Canadian corn to be sold for 66*s.* 2*d.* at Liverpool to pay the importer. At such a price, what ground was there for the least alarm that this would injure the British agriculturist? Was not a charge of 26*s.* 2*d.* per quarter for freight and charges a sufficient protection for the British farmer? Was it to be expected that prices could ever rise up in England, to what they had been in these past years? It was, in his opinion, impossible. Therefore, both as regarded price, and as regarded quantity, the British agriculturist had nothing to fear. Looking at the price of wheat at New York, in ordinary years, it was his firm belief that if corn were admitted to be brought direct from New York to England, without any duty at all, it would do no injury to the English farmer, while it would greatly benefit the community at large. America must, undoubtedly, diminish her expenses in growing and carrying wheat and flour greatly, before she could compete to any extent with our own agriculturists. He might state to the House that he did not desire to see wheat lower in this country, than what with a free-trade the average price would be in Europe; and he would hazard a guess that that would be about 50*s.* He next came to consider what would be the probable effect of the measure before the House. It was a change of duty in this country from 5*s.* to 1*s.*, for he had nothing to do with the 3*s.* duty levied in Canada, and he would state why. Power had for the first time been given to the colonial Legislature to regulate their own internal taxation, and it was quite competent, therefore, for Canada to reduce or to increase the tax on corn imported into that country as they pleased. He would state to the House what had occurred in the colonial Legislature during the discussion of the law for imposing a duty of 3*s.* on the importation of American corn into Canada. Great difference of opinion existed in the House of Assembly on the subject, probably as much as existed in this House. If it had not been for the speech made by the right hon. Baronet (Sir R. Peel) in the House of Commons, in March 1842, the colonial Government would not have been able to carry that bill. The right hon. Baronet on that occasion said, that he should be happy to treat our North American colonies as an integral part of this country, and to consider them as English counties. When Mr. Harrison, the secretary of the Canadian Government, introduced the resolutions on which the bill was to be founded, he stated that the expectation which had been created by the speech of Sir Robert Peel had been made certain by the letter from Lord Stanley on the 2nd of March, 1842, to Sir Charles Bagot. The people of Lower Canada were convinced that the bill was calculated to increase the price of food in that province: but they believed it would give them the corn-carrying trade, for 3,000 miles west of Quebec, which would compensate them for the loss of the timber trade, and at the same time afford them the means of improving the revenue of the country, and enabling the people to pay higher for their food. It had been said, by the noble Lord (Lord Stanley), that the bill was carried with unanimity in the House of Assembly, but that was not the case. It was very much opposed, and after a stormy debate, carried for the 3*s.* duty. No person, especially those holding office, should endeavour to persuade the House that the bill was agreed to in Canada by an unanimous vote. The debate took place on the 29th of September, 1842, Mr. Leslie in the chair. It was proposed that the House should resolve itself into committee, to consider the question of imposing a duty on the importation of foreign corn. The report in the newspaper stated that the question was put amidst a bushel of cries of "Order," "question," "Hear him, &c." during which several Members in vain attempted to speak, the motion was carried in the affirmative. Then Mr. Harrison rose to propose that the amount of duty should be 3*s.*, which was carried. After a long debate, Mr. Childe then proposed, that all other descriptions of agricultural produce should be subjected to a duty; upon which, a scene of clamour, uproar, and confusion, that defied description, took place. The motion was amended and re-amended; and on a division, there were thirty-seven for the motion, and twenty-three against it. The members of Lower Canada were generally against it. There were four or five divisions. Mr. Viger stated that it was on the ground that the colonial legislature had the power to alter the act whenever they pleased, that Mr. Harrison's proposal was finally adopted by the House. And on that ground alone it was that he (Mr.

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* See P. P. 240, of 1843.

† P. P., No. 218, of 1843.

Hume) gave his vote for the present measure, leaving it to Canada hereafter to act for themselves, as regarded the duty, as they should think proper. They would, no doubt, next year decrease the duty if they found 3*s.* too high, or increase it if they thought that sum too low. And why should they not? They were now to be masters of their own financial affairs. The British House of Commons had nothing to do with the colony. That power given by the British Government was of great importance; and he should expect the right hon. Baronet (Sir R. Peel) to act n the same spirit towards all our other colonies. Why should he not allow wheat and flour to be imported at the same rate of duty from the Cape, from Bengal, and from every other British colony? The principle of the present measure was in this respect, in his (Mr. Hume's) opinion, of the greatest value. His hon. Friend below him rejected it, because the act of the Canadian government had laid on a duty of 3*s.* per quarter, but he maintained that it was on the principle of a fixed duty of 1*s.* a quarter, for he had nothing to do with any duty that the colony itself might impose. In the course of the debate in the House of Assembly, Mr. D. B. Viger said,

> "That he was opposed to every species of protective duty, as these duties were on all occasions imposed at the expence of some part of the community; but, as the Imperial Government had conceded to the House of Assembly the right of legislating for Canada in matters relating to its commerce, and had declared that it was desirous to extend the further boon of admitting all Canadian agricultural produce into England free of duty, he (Mr. Viger) could not see any objection to the imposition of a duty on corn coming into Canada from foreign countries to which Great Britain had not yet extended that privilege. It was not (said Mr. Viger) for the House of Assembly to say what the mother country ought to do with respect to the importation of foreign corn, it was sufficient for them to know that Canada was favoured by the mother country, not only by the proposition of admitting its agricultural produce at a shilling duty into England; but also by the declaration of Sir Robert Peel that he was desirous that Canada should become as a new county added to England."

Whether the expectations excited in Canada by that declaration of the right hon. Baronet would be realised by the present measure, he (Mr. Hume) certainly entertained some doubt; but if they were not at present, they must be by and by. He had been highly pleased at hearing the sentiments expressed by the noble Lord, (Lord Stanley) the Secretary of State for the Colonies respecting colonial Government. They were such as he had never heard from that noble Lord before. The noble Lord stated, that this was a boon to Canada. It was, as a pecuniary boon, a very small one, but the power of the colonial assembly regulating their internal affairs, as a principle, was an immense boon. The noble Lord also said it was a measure that would encourage agricultural industry in Canada. Undoubtedly it would in some degree do so, but the British House of Commons had nothing to do with that. The noble Lord went on to say, that every man of common sense must prefer a fixed duty on corn to a sliding-scale —of course the noble Lord was speaking of this particular measure, where the range of duty would only be from 5*s.* to 1*s.* Still these were sentiments he was delighted to hear, and he hoped they would not be lost, but that the noble Lord's associates in the Cabinet would share them, and that this country would benefit by them. It was impossible to apply one rule to a sliding-scale from 1*s.* to 5*s.*; from a sliding-scale from 1*s.* to 70*s.*, and therefore Sir Robert Peel's scale was condemned by his own Colleagues. It was only by degrees that they could get their rights, and he doubted not that they would, by and by, get rid of their sliding scale also, if not of duties altogether. The noble Lord went on to state, that her Majesty's Government were desirous to fulfil the pledge given to Canada. The House of Assembly had passed the Bill imposing 3*s.* duty, under the belief, and in confidence, that United States' wheat, when admitted to Canada on that duty, would be also admitted at 1*s.* to Great Britain, there would be the disappointment. Now, although he did not believe this measure would fulfil that pledge, still he should be sorry in any way to prevent its being passed into a law. He should be unwilling to be a party in rejecting the bill. It was of much importance, that they should throw on the Government the great responsibility, and the necessity of proposing further measures if it should be found that this bill did not fulfil the pledge they had given to Canada. It was delightful to hear the noble Lord (Lord Stanley) say, that it was much better to maintain our colonies by the ties of love and affection, than by a coercive system. It was one of those refreshing sentiments of which they had not heard much for many a day. But now these were enunciated by a Minister of the Crown, and all the other Cabinet Ministers were ready to say, Amen. The despatch of the noble Lord (Lord Stanley) on the 2nd of March, 1842, was a most important document, and he would read two paragraphs from the newspapers to show the grounds of the expectations entertained by the Canadians in consequence of that despatch, and the manner in which they looked to the pledge of the Government being fulfilled:—

> "Sir R. Peel, it was said, is not accustomed to waste words, still less to use very expressive words without regard to their meaning. On the 23rd March last, during a debate on the tariff, Sir R. Peel declared that he thought we ought 'to consider our colonies as an integral part of this country.' Another report of his speech gives the words, 'to consider them as English counties.' It is, however, certain, that in one or other form of words the Prime Minister made the remarkable declaration that in his opinion the principle of protection ought not to be applied against colonies—that these portions of the empire ought to be as free of the home market as Ireland or an English county."

When this emphatic and striking declaration of the Premier reached Canada, the people there rejoiced aloud. The British Government (for like most people elsewhere, they considered Sir R. Peel to be the Government) had expressed an opinion in favour of free-trade between Canada and England; they might now hope that the loss of their timber monopoly would be compensated by a new trade in wheat and flour; they calculated over again the cost of production and carriage; they successfully urged their local Government to proceed with the improvements of the St. Lawrence navigation: they boasted of the advantage of really and truly belonging to the British empire. Still, Sir R. Peel had merely uttered an opinion. When, or if ever, he should be able to give effect to that opinion, was a matter about which he had not said one word: his declaration, however gratifying, did not convey anything like a promise; hope was all that the colonists had any right to indulge in. But, in the following month of September, this hope was turned into certainty: the declaration of opinion took the shape of a promise in the despatch of March 2nd, though only published in Session 1842, and now, what was that promise? The noble Lord, (Lord Stanley) in his speech, stated generally, that it would be seen by the document on the table that it was the wish of her Majesty's Ministers to place the Canadas in the most favourable situation, but that they could not conceal from themselves that the United States were adjoining Canada, and therefore, as regarded corn, they must have some protection to prevent great importations from the States. Then, what said the act?—

> "Whereas the chief objection to the free admission of wheat and wheat-flour into the said United Kingdom from Canada arises from the free admission of foreign wheat into Canada;"

Therefore they proposed to levy a duty of 3*s*. After that, they expected not only that wheat-flour, but that wheat should be exported, and it was on that expectation they founded their estimate of the advantage they should derive from the whole measure. He would therefore submit to the right hon. Baronet that the present plan would not be a fulfilment of the pledge given to Canada, and that in order to keep faith with the Canadians, they must be allowed to bring wheat of the United States, as well as flour at 1*s*. duty. It was of importance to know, what was the opinion entertained by the people of Canada, and what they expected when they assented to put a duty on American corn. In a petition presented to her Majesty by the President and Council of the Quebec Board of Trade, the following appeared; *

> "That the commercial interests of the province are now depressed and suffering to an unprecedented extent, chiefly in consequence of the measures lately adopted by the Imperial Parliament, withdrawing or greatly limiting that protection which its principal products formerly enjoyed, in competing with foreigners in the markets of the mother country and your Majesty's other colonies. That, in consequence of these measures, your Majesty's subjects in this province, from their greater distance from these markets, can only now successfully compete with foreigners therein under the most favourable and rare circumstances; and should your Majesty assent to the said act of the Legislative Council and Assembly of Canada, without at the same time conferring on your Majesty's subjects in this

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* P. P., 218, of 1843.

province some countervailing privilege in their trade with other parts of the empire, your Majesty's petitioners firmly believe that the result will be the utter prostration of the trade of the country, and the ruin of those engaged in it. That it appears from the preamble of the said act, that it was enacted upon an express assurance by persons representing your Majesty's Government in the Legislature, that some such countervailing privilege would be granted, and that, without such an assurance, it would not have been passed. Wherefore your Majesty's petitioners humbly pray, that your Majesty may be graciously pleased to withhold the Royal assent to the said act, until a law shall have been passed by the Imperial Parliament, authorizing the admission into the United Kingdom and the other colonies, *free* of duty, of all grain and flour exported from this province."

That petition was signed by the president and nine other members of the council, who further state—

> "That the flour hitherto exported from Canada, has been chiefly made from wheat the growth of the United States."

Therefore even a shilling duty was beyond the mark, and it is expected that wheat from the United States now introduced into Canada, is to be admitted into England, as if it were the produce of Canada. But that is not allowed by the bill before the House. In the report of a special commission of the Legislative Assembly it was stated that wheat, from the northern and western parts of the United States, might be carried by the Hudson River to New York at an expense of 3*s*. 6*d*. a quarter less than it would be carried down the waters to Canada; therefore they prayed for the fulfilment of the pledge made to them, by Lord Stanley's letter of 2nd March, 1843, to Sir Charles Bagot; and, on that ground, Government would do well to maintain that promise, by admitting corn and all flour of the United States, coming through Canada into this country free of duty. He should not have dwelt so much upon this point if trade in Canada were not so much depressed by the changes made by the tariff, and for which the carrying trade of corn may be some compensation. The expenditure of the army alone there had been upwards of a million sterling yearly, but that was diminishing. Canada had lost the lumber trade, consequently, unless the Government would favor the Canadians by enabling them to become the carriers of corn from the United States, free of duty, they must still further suffer. He said from the United States, for there was no secret in the matter; it was from thence the corn and flour had hitherto come, and in future must come; and he did not think that Parliament should consider the 3*s*. duty that had been imposed in Canada. [*Hear, hear.*] That might be taken off by themselves, and if they found that duty injurious to the province, why should it not be? I am quite surprised (said Mr. Hume) at the hon. Gentlemen who cheer me. They seem to think that the House of Assembly in Canada is like the House of Commons. It is no such thing. The House of Assembly is elected by the whole people, and you must not think that a House, elected by the whole population, will allow any injurious legislation to continue for a year without amending it? I will further explain. It is the best argument in favour of universal suffrage. In England, laws are passed for the benefit of the few, and not for the interests of the many; but that will not henceforth be the case in Canada. I wish all governments to be conducted for the welfare of the people; and while the House of Assembly continues to be elected by a large portion of the population of that country, it is quite evident that such an assembly will not allow any laws to exist long that are injurious to the community at large. Before two years had elapsed, the country gentlemen of England would be of his opinion, and would see that to injure Canada was to injure the empire. For this reason, he thought that the objects of the act passed by the colonial Legislature,—namely, "a free transit of corn from the United States," ought to be supported. Ere long, an increase of suffering in England, from our protective system, would compel us to change that system; as one doctor and one set of prescriptions had failed to relieve the industry of the kingdom, it was necessary to try others, and that of free trade, ere long, would be tried. Destroy the commerce and industry of the country, as we are now doing by our Corn-laws, which are undermining the sources of revenue of this country, and the land in the end must pay for it; retribution would fall where it was due, and if hitherto capital and land had borne very light burthens, they would, he (Mr. Hume) feared, be heavy enough in a short time, if the same protective plans were pursued. It became Parliament to re-consider its vicious legislation, and to allow the principles of reason and common sense to prevail in the future government of the country. All he asked of members was, that they should act like men of sense; this was, perhaps, requiring much, but it was not requiring more than some time or other they would be compelled to grant. He, for one, should support the motion, by which wheat and wheat-flour should be admitted into this country from Canada at a duty of 1*s.*; and it would end, he sincerely hoped, ere long, in the establishment of a free-trade in corn, direct with the United States—a change essential alike for the future welfare and prosperity of Great Britain and the United States.

Mr. *Cumming Bruce* could not throw any additional light upon this subject, which had already been so amply discussed; but he was very desirous of stating to the House the nature of the vote he intended to give, his reasons for that vote, and the peculiar circumstances under which he gave it. At Easter last he attended an annual meeting of the county which he had the honour to represent, and at that meeting a resolution was proposed deprecating any alteration in the law respecting corn, as regarded Canada; and, also, another resolution condemnatory of the extent to which the Government had already carried free-trade principles. This last resolution, at his suggestion, was withdrawn; but the resolution deprecating any alteration in the Canada duties was unanimously agreed to. A petition, grounded upon this resolution, was proposed and signed by most of the resident proprietors, farmers, and tenants in the county. He was asked to support the petition, and he promised to do so, and he had since presented the petition to the House. Since then, however, the speeches he had heard in that House, and other information which he had received, convinced him that he was mistaken on the question when he promised to support the petition of his constituents. He found that, instead of lessening the protection to the home grower, the proposition of her Majesty's Government was calculated to increase that protection—as it went to establish a fixed duty of 4*s.* instead of 2*s.* as at present; and, moreover, he did not at all look upon this as a measure of free-trade, to which his constituents were opposed. He therefore thought he was fulfilling the wishes of his constituents in supporting it. But these were not his only or his principal motives for giving his support to the measure. He regretted that the Government should have found any necessity for disturbing the adjustment of the Corn-law question made last year, because whatever might have been then said upon the subject had certainly been forgotten, and it would have been better not to have revived it, if it could have been avoided. But the honour and character of the Government were pledged and committed on this question, which with him was the strongest motive for supporting it. If the Government, after the pledge they had given, did not persevere, they would not only betray the greatest inconsistency, but would show a degree of weakness that must be highly injurious to the country. He considered that the strength and stability of the Government, and the continuance of the right hon. Baronet at the head of it, paramount to all other considerations. The great fault of the late Government was its want of sufficient strength to carry through any measure for the advantage of the country; and his desire was, that the present Government should not be placed in the same predicament. He was quite aware of the disagreeable position in which he stood, after the promise he had made to his constituents—but he was prepared to pay the penalty of the error he had fallen into by sacrificing his consistency to his duty. If he should find that the course he had pursued gave dissatisfaction to his constituents he should hasten to place at their disposal the trust they had reposed in him, and which he was only desirous of holding so long as he could do so with satisfaction to them and credit to himself, and with a continuance of that good feeling that had hitherto subsisted between them.

Mr. *F. Baring* said, that the most important point in the argument of the noble Lord (Lord Stanley), and that on which the whole measure of the Government rested, seemed to him to be the question of good faith. The noble Lord had applied a considerable portion of his declamation to that point, and endeavoured to prove that the good faith of the House was pledged by having raised expectations in Canada which it would not be consistent with the honour of the House to abandon; and if he believed with the noble Lord and the right hon. Gentleman (Mr. Gladstone), that the House was a party to the pledges given by the Government, he should at once call upon the House to concur in the resolutions, whatever might have been his opinion of the policy or propriety of them. He must say he should not be quite satisfied with redeeming pledges given by the House in the same way that the hon. Member who spoke last redeemed his pledges to his constituents, who having stated to his constituents, that he should oppose the measure, now said, that further information had induced him to support it. If the House had been a party to a pledge given by the Government, he for one should not be willing to change his mind, or think it very creditable to walk off from his solemn declarations; but was it the case, that the House was pledged, as argued by the noble Lord? Was it even the intention of Government to bring forward this measure when first they proposed the Corn-law? He put that question distinctly, and he looked to have an answer. He believed the Government had no such intention. He went further, and said, that the Government had not only no such intention, but they had directly the reverse intention. On the 9th February, the right hon. Baronet proposed his Corn-law scheme. In that scheme was found a duty which was very nearly a fixed duty, being *5s.* up to a certain point, and then dropping to *6d.* The right hon. Baronet proposed a duty on colonial corn; but he gave not the slightest notice, that it was not to be a final measure. Nor was that all. The very day before the right hon. Gentleman (Mr. Gladstone) had proposed a measure with regard to the colonies, he proposed a *3s.* duty on corn imported into Canada; therefore the first intention of the Government was to have a sliding-scale, and a fixed duty of *3s.* besides; and, consequently, they had no intention when first they proposed the corn bill of bringing forward the resolutions now on the Table. Their first intention was to have a scheme directly the reverse of this. It might have been the case, that when the noble Lord proposed a sliding-scale, from *1s.* to *5s.*, he thought that there was no man of common sense who would not have preferred a fixed duty; but why was no intimation of that given to the House? The very first day of the Session his noble Friend near him had stated his objections to imposing a *3s.* duty, as introducing a Corn-law into Canada. So far, therefore, from both sides being at first unanimous in favour of imposing this duty of *3s.*, the noble Lord near him had from the first taken the objection which was now taken on that (the Opposition) side of the House. On the 25th of February last year, when Mr. Christopher's motion was under discussion, he pressed the point upon the right hon. Gentleman opposite (Mr. Gladstone), and from the answer then given no person could suppose, that a despatch would have been sent out to Canada bearing a different interpretation. From the language used by the right hon. Gentleman this could not be inferred. His words were, that—

> "With respect to the question which had been alluded to, he believed that no one in that House would contend that any regulation ought to be adopted in the new Corn-law which should raise a new barrier as against our trade with the United States. He had proposed laying a duty of *3s.* on wheat imported into Canada. Should Parliament, however, lay a merely nominal duty on the importation of Canadian flour and wheat into this country, he would not venture to pledge himself, that it would not be right to lay the duty on the importation of American wheat into Canada, which stood in his resolution; but, if Parliament should adhere to the principle of a *5s.* duty on the importation of Canadian wheat and flour into this country, in that case the *3s.* duty would not be pressed upon the House."

No one from the use of such language could conceive that it was the intention of Ministers to send a despatch to Canada. For his own part, he thought the right hon. Gentleman felt, that he was mistaken as regarded a *3s.* duty, and conceiving that he adopted the course as a fair excuse for withdrawing, he did not press the matter further. That, however, now appeared to be the first announcement of an intended change of policy on the part of the Government. On the 28th of February a debate took place, in which something as to the intention of Government was made known, but not in a way in which the House of Commons should be dealt with by the Government of the country. The House was certainly thin on the occasion, but whether full or empty on so important a point the intentions of the Government should be fully specified. In a subsequent discussion the *3s.* duty was withdrawn, whilst the duty on flour was continued; but the arguments then used were different from those adopted now. Much was then said about intercolonial policy; but the despatch was sent out in the meantime, whilst it was urged, that if Canada accepted the terms the bill should pass. Not a word, however, was said about ulterior measures. He did not mean to accuse the Government of any intention to deceive the House, but he was satisfied, that on that occasion nobody had conceived that the Parliament had pledged itself. There were so many little changes in the policy pursued respecting Canada, that he did not wonder at the expression of smiling gratitude which passed over the features of those sitting on the Ministerial Benches when they heard the hon. and learned Member for Bath say, it was unfair to twitt the Government for any change which they had made, or to indulge in allusions to the sliding-scale. In the discussion of last year, nothing was heard of the common sense of a fixed duty, as contrasted with a sliding-scale. There was then no symptom of the preference which was now avowed in behalf of a fixed duty. Those who had heard the changes rung on the other side so loud and so often in favour of the sliding-scale, could scarcely have supposed, that after all the laudation of the sliding-scale a despatch would be written out to Canada recommending the fixed duty. It was argued, that having proposed terms to Canada the House should not trifle with the colony; but he would ask would they be warranted in trifling with England? Whose fault was it that the House of Commons was placed in its present position? Government had had it in its power to state its plan frankly. It could have had the despatch laid upon the Table of the House, and then there could have been introduced into the bill of last year a clause to reduce the duty, as was done in the case of Indian sugar. If they wanted to take the opinion of Parliament on the question that would have been the frank and open mode of proceeding; but if they were now placed in a difficult position as respected Canada the fault lay with those who had thus raised the expectations of the colony. Now with respect to what fell from the noble Lord the Secretary for the Colonies when he said that no man of common sense would hesitate in the choice between a fixed duty of 1*s.* and a varying one ranging between 1*s.* and 5*s.* The noble Lord asked who would not prefer the simplicity of the former mode, but the question then arose as to what was to be done with our other colonial possessions. Two questions arose on this point. One was, if all our colonies enter into similar engagements to those entered into by Canada, would they not naturally expect to be treated in the same way? And the next question was, if the fixed duty was preferable, in a common sense view, to the sliding scale, ought it not to be generally adopted? Why should not New Brunswick have the advantage of it as well as Canada? If the fixed duty was common sense, were they prepared to go on with that principle? Would they give the benefit of the common sense principle to the other colonies, or would they still keep them under the sliding scale? Would they follow out the principal of colonial policy—namely, that our colonies should be treated as if they were so many counties? or would they apply the principle of a fixed duty to Canada only, and retain all our other North American possessions under the operation of the sliding-scale system? Corn coming from the Cape of Good Hope was treated in the same way as foreign corn. Was it proposed to keep up and continue these anomalies? If that was the intention, upon what ground was it that a benefit should be conferred on Canada from which all our other colonies were to be excluded? Was it because Canada was somewhat more powerful than our other colonies? Was it done on the old principle, that what was not accorded to right should be yielded to agitation? Or was there some other power at work which directed principle in one way, and practice in another? In the proposition made there were two parts working to the same end. One went to increase the differential duty between Canadian and foreign corn, and the other was to raise the agricultural interest in Canada and make a corn law for that country which would raise the price of corn in the home market there. This must be the result of the measure. He would admit that the passing of the measure would not interfere with the consumption in this country, nor did he think it would be of any advantage to consumers in Canada. On the contrary, he rather thought it would tend to raise the price there. To this country, then, it would be no advantage: in Canada it would be injurious to the consumers, and its only effect would be to bolster up the agricultural interests in that colony. To such a proposition he was opposed, as well upon the broad principle as upon the results which he contemplated from its operation. Everybody, in and out of the House, must admit that our present corn laws could not be of long continuance. Their fate was sealed. The House might attempt to foster and bolster up the agricultural interests in Canada, but they would ultimately find out that, as was the case with the timber duties, they would be obliged to withdraw their protection, and they would also find that the same sort of evils would follow in the one case as in the other. It would have been much wiser if the duties which were imposed for the protection of the timber interests had been done away with many years since, for if such had been the case several parties would have been saved from ruin, and before a long time elapsed it would be found that they must deal with corn as they had dealt with timber. They would soon find out that the worst policy which they could pursue would be to afford a protection to Canadian corn—which must before long be withdrawn. Capital would be applied to land and mills under the supposed security of an act of Parliament, but the Parliament would ultimately be obliged to retrace its steps, and then the same calamities would occur as took place under the alteration of the timber duties, though not, perhaps, to the same extent; and the longer the protection was continued, the more severe would be the fall of those for whose security it was intended. Almost all those on that (the Opposition) side of the House opposed the principle of the noble Lord's measure, though some found palliating circumstances. It was seldom that a bad measure was brought before the House in all its naked deformity. It was always connected, in one way or other, with some immediate advantage; but the advantage would soon pass away, whilst the evil would continue permanent. For his own part he was not an advocate for the immediate abolition of all existing protections. He was aware of the calamities and individual sufferings which must follow the adoption of such a course; but whilst he would not advocate the immediate abolition of all protection, he held it to be a point of wisdom to avoid offering any fresh protections, as doing so would be only to continue and persevere in a bad and dangerous principle. It was said that a 3*s.* duty was a very small protection; but the principle being once adopted would it stop there? Was that the nature of protecting duties? Was there nothing in the paper which had been laid upon the Table?—was there nothing in the resolution to hint the contrary? Was it not obvious that there was a party in Canada which was looking to protection for all agricultural produce? If the House once began in this manner, they would proceed from one point to another, and, at last, they would not know where to stop. Another colony had already adopted the example set by Canada, and whenever the principle was once sanctioned, it would be impossible thenceforward to stem the tide. It had been objected that the House ought not to interfere with an act of the Canadian Legislature, and he would admit the force of the argument if Canada had acted of its own accord and without reference to any communication coming from this country; but Canada had not acted freely in the case. Canada was bribed into the course it had pursued by the offer of a Corn-law. It was said to the colony, " If you act in a particular manner you shall have such and such advantages." Leave Canada alone to its own legislation, and do not say, " If you pass such a law we will give you so much in return."

Sir *R. Peel:* Judging from the notices upon the paper, I apprehend that future opportunities will offer themselves of going more fully into the general question. I shall not, therefore, trouble the House, at the present time, by entering into details and figures, but shall confine my observations to two points; first, to that just adverted to by the right hon. Gentleman, namely, the character and object of this particular motion; and, secondly, to the circumstances under which the Government have thought it their duty to bring this question under the consideration of Parliament. I say I shall apply myself to these two points, reserving all details for future discussion. In these cases it is always of importance, instead of travelling over the collateral facts, to come at once to the consideration of the motion before us. In this case the question is, shall we present an address to the Crown, praying her Majesty to withhold her sanction to the Act passed in the last Session of the Provincial Parliament of Canada? Now reserve your opinion of that measure if you please—offer it, if you like, your firmest opposition when the proper period arrives for opposing it; but, whatever may be your opinion of the measure itself, do not forget the course you are asked to take—do not fail to remember that the right hon. Gentleman requires you to address the Crown to withhold the Royal assent from this particular enactment. With respect to this measure there are three parties standing in immediate connexion—I mean the Crown, the Colonial Legislature of Canada, and the House of Commons. The Colonial Legislature of Canada has passed an act imposing a duty on wheat on its importation into Canada. It is perfectly well understood by the House, that if the House refuses to sanction the resolutions of my noble Friend, in that case the Crown will withhold its sanction from the acts of the Colonial Legislature. But what we are now asked is, to address the Crown praying that that consent may be withheld. Why, was there ever an instance of the House being asked to take such a course as this? Can you show me a single precedent for such a proceeding? Was there ever an instance of the House addressing the Crown for the purpose of preventing the passing of an act of a Colonial Legislature? Exercise your own functions; reject our proposition if you please, but do not take on yourselves such a proceeding as that of asking the Crown to refuse this bill its sanction. Consider under what circumstances this bill is offered to your notice. It comes before you almost as the first act of an united Legislature. It is an act passed at the instance of the Crown, and you will do well to spare the Crown the mortification of rejecting a measure which the Crown itself advised. If the Crown invited the Colonial Legislature to pass this act, and if you have full power to prevent its operation by the exercise of your own functions, why should you not exercise those functions, instead of asking the Crown to use its power in contravention of its own advice? I say, I doubt if there be a precedent for asking the Crown to oppose its veto to an act of a Colonial Legislature; and if there is no precedent surely it will be hardly wise to set such an example in a case in which as in the present, the act is almost the first act of a Legislature only just convened. It would be infinitely better in such a case for the House of Commons to exercise its own functions, and reject our proposition at once:—it would be infinitely better for the House—it would be infinitely better for the Crown, and certainly it would be infinitely more respectful to the Legislature of Canada, which will commence its career under anything but happy auspices if you ask the Crown to veto almost the first measure which that Legislature agreed to pass. Sir, there are circumstances under which the House of Commons has an undoubted right to ask for the interference of the Crown with reference to the acts of Colonial Parliaments. In giving power to those Parliaments you took a security that in the case of acts affecting the rights of the Crown or of the Established Church, such acts should not be passed until they had been laid before the House at least thirty days, and until the House had had the privilege of addressing the Crown upon the subject. The cases, however, in which you reserved this power were all distinctly mentioned in your enactment; they were the cases of measures affecting the clergy reserves, the ecclesiastical establishments, and the rights of the Crown. You did not ask for reservation regarding other measures, and, not asking for it, you tacitly admitted that with those measures you had no right to interfere. Your not asking for any reservation, except with respect to certain acts, conclusively shows that with respect to other acts—with regard for instance to all commercial acts—you did not consider yourselves wiser than the colonial legislature, and consequently, that you did not seek to advise the House respecting those enactments. I do hope, therefore, that you will not lend your sanction to such a precedent as that you might establish by calling on the Crown to exercise its veto with respect to this bill. You can gain no object by such a proceeding, and depend upon it, it would be infinitely better to leave the subject to the decision of the Crown acting on the advice of the Executive. Now with respect to the circumstances under which this motion is proposed. The right hon. Gentleman has said that we had not this measure in contemplation during the last Session of Parliament. [Mr. *F. T. Baring:* "I said it was not contemplated when you first proposed the Corn Bill."] I assure the right hon. Gentleman that it was. On the 8th of February my right hon. Friend proposed to place a 3*s.* duty on American wheat and flour imported into Canada. Great apprehension was expressed. At that time there was an indication of opposition, and that opposition was directed to the principle of imposing by the act of the British Parliament a duty on American corn imported into a colony having an independent Legislature. Well, in the course of the same month, my noble Friend (Lord Stanley) addressed the House on a proposition of the hon. Gentleman the Member for Limerick, having for its object to impose a duty of 1*s.* only on each quarter of wheat the produce of British possessions out of Europe. My noble Friend, on that occasion, in the face of the House of Commons, of the people of Canada, and of all who were interested, made these observations—

> "My right hon. Friend," he said, "has distinctly told the House that he will not press for a duty on American corn imported into Canada."

Now, that was on the 28th of February. The intention of the Government to subject wheat brought into Canada to a duty of 3*s.* per quarter had been at that time abandoned, and three days previously my right hon. Friend (Mr. Gladstone) had announced its abandonment. And why had it been abandoned? No doubt in consequence of the opposition which had been raised to the constitutional principle—to the principle of a duty being laid by the British Parliament on articles imported into a colony having an independent Legislature. The proposal having been thus abandoned, it was at this time that my noble Friend made use of the expressions I am about to read. The proposition had been abandoned. There could have been no object in concealing the intentions of the Government. The noble Lord then made use of these expressions; and though they may not be remembered here they were remembered in Canada, and no doubt had their influence with the colonial Legislature. These were the expressions of my noble Friend:—

> "My right hon. Friend has distinctly told the House that he will not press for a duty on American corn imported into Canada. If we thought fit to remove the duty levied upon the importation of Canadian corn into this country, it is not just to call upon us, under the plausible argument of giving encouragement to Canadian agriculture, to relieve from the burthen of duty all the corn and flour which passes from America through Canada, taking, at the same time, no means to prevent our being inundated with American corn. This is the ground on which I, for one, cannot concur with the motion of the right hon. Gentleman."

Now, observe what followed. The British Corn-bill had passed. There could have been no reason for wishing to conceal the intentions of the Government; but if there had been would my noble Friend have used this language—

> "If there was any alteration of the law which regulates the importation of wheat into Canada—if there was such a restriction on wheat going into Canada as would free this country from competition with American corn under the name of Canadian corn—then I think the Canadians would be entitled to a greater relief; but if you do not choose to do this—or if you do not wish to set free the trade both of American and Canadian grain, then I cannot see any reason why we should do that indirectly which you have refused to do directly."

And having made that declaration in the face of the House of Commons, and hearing little comment on it, my noble Friend did write that despatch in which he communicated to the Canadian Legislature the declaration of the Government, that if Canada did affix an import duty upon American grain, we should consider that we were bound to give to Canada the boon which for so many years back she has been anxiously soliciting. And now, having heard what my noble Friend said on that occasion, let the House listen to the language of the right hon. Gentleman opposite (Mr. Labouchere). What right had the Canadians to suppose for one moment, that if they passed their bill they would now be met by this formidable opposition? What was the language of the leaders on the other side? The right hon. Gentleman said on that occasion,—

> "The Canadian people are the best judges of the benefit which they will gain from such a measure, and their own colonial reprentatives should decide as to its advantages or disadvantages. I will not assert, that it will not be right for the Government to confirm this act, if they agree to the measure. Upon that point I will express no opinion; but I do contend, that the Legislature of England has no right to meddle with a plan, the effects of which are supposed exclusively to be confined to one of her colonies."

Now, I do not contend for one moment, that the right hon. Gentleman pledged himself by those expressions to support the Canadian measure, but I do say, that he used language which, in conjunction with the language of the Government, might have fairly justified the Canadians in believing, that if they passed such a law as they have passed, he would not be the man to ask the House of Commons to address the Crown to refuse that law its sanction. I do not, I repeat, contend that the right hon. Gentleman's expressions bind him to support the measure. I do not contend, either, that the functions of the House of Commons are fettered by the assurances we then held out to Canada. The House of Commons has no doubt a perfect right to judge for itself whether Canada has or has not fulfilled all the conditions essential to the complete scheme. If you think the House has not, you will reject our propositions; but what I ask is, that you will not escape from the responsibility which you will in that case exercise by attempting to throw that responsibility upon the Crown. Sir, the right hon. Gentleman has referred to what he terms our "abandonment of the sliding-scale." For my own part, I see no abandonment whatever of the principle in our abandonment of a varying scale and adoption of a fixed duty in this one particular instance. The question is, "Is it fitting under the circumstances of Canada, that Canadian wheat and flour should be admitted into the ports of this country?" My opinion is, that political circumstances make it the wiser course for us to give to Canada greater facility of commercial access, and my opinion also is, that the agriculturist of England may give that access without running any risk of injuring their own interests. All the speeches which I have heard from the other side tend, indeed, to confirm me in this belief. The speeches of the two right hon. Gentlemen show conclusively that so far from trifling with the agricultural interest and proposing to remove a protection,—I am doing my duty by them; and the speeches of more than three-fifths of the Members on the same Benches go to prove that those agriculturists, so far from opposing the measure, ought to render us their best support, because, instead of an injury, this bill, according to them, is to confer on agriculture an additional protection. [*Cheers.*] Those cheers confirm that impression, and therefore I will no longer believe, that we are removing a protection, but will leave it to hon. Gentlemen opposite to reconcile their opposing and conflicting charges as best they may. And now, Sir, let me ask a question. I am taunted with adopting a fixed duty. Will hon. Gentlemen opposite tell me how they would deal with a fixed duty in this case? There is to be, according to their plan, a fixed duty of 8*s.* a quarter on foreign corn. Now, what will they do with colonial produce? I presume they would not subject that produce to a duty of the same amount? But the American corn—corn of foreign growth—comes to England through Canada. How could they levy a fixed duty of 8*s.* on American corn brought from New York and New Orleans, and, nevertheless, permit American corn to come to this country duty free through Canada? I should like to know how they would deal with that fact? Would not that be opening a "back door?" Would not that be giving a preference to the western states over the southern. Or, perhaps, hon. Gentlemen would propose to apply only a duty of 1*s.* to corn passing through Canada? But in this case there would be an undue preference given to America over other nations. If a nominal duty would not do, then there must be a fixed duty; for there is no other mode, in fact, of levying a duty, simply because there is no system of averages in Canada. And here I may remark, that what my noble Friend, Lord Stanley said, is perfectly true respecting the difference in the policy of a fixed duty ranging from 8*s.* to 12*s.*, and from 1*s.* to 20*s.* The argument, of course, applies with the more force as the difference between the extremes expands; but, although well stated by my noble Friend, this is not the point on which I rely, for I mainly rest my defence of the use of the fixed duty in this instance on the fact—which is beyond dispute—that in Canada you can take the duty in no other form. The right hon. Gentleman (Mr. Baring) asked me why I did not follow the example set in the case of East Indian sugar, and make our legislation dependent upon that of Canada, giving the Privy Council the power of reducing the duties in case Canada made a corresponding reduction. Why, in that case, I fear I might be no more certain of pleasing than I am now. I might, for instance, be met by such a notice as that which the noble Lord the Member for London has upon the paper, who, in opposition to the argument of the right hon. Gentleman, intends in a few nights to move, that,

"So much of this resolution shall be omitted as refers to an act agreed to by the Legislature of Canada, and renders the legislation of the Imperial Parliament dependent on that of the provincial legislature."

The right hon. Gentleman says, "Why not pass a law giving power to the Privy Council to make reductions in the event of the colonial Legislature making correspondent reductions?" The noble Lord says, "Why render the legislation of the Imperial Parliament dependent on that of the colonial Legislature." That is not the principle on which you ought to proceed. I answer the right hon. Gentleman, therefore, that I fear, even if I were to adopt his proposition, I should scarcely be relieved of my difficulty. Sir, to go back to the main question, that this is a boon to Canada cannot, I think, be denied:—that it is a boon which may be granted without injury to agricultural interests ought, I think, to be admitted. And when the noble Lord referred to the timber duties, I could not help calling to mind, that when once quoting an opinion of Lord Sydenham to the effect that it might be possible to make an arrangement with Canada in the shape of compensation for the loss of her timber trade,—I say I can't help calling to mind, that when quoting that opinion, and hard-pressed as to what the compensation was to be, the noble Lord admitted that that compensation might be afforded in the shape of a greater facility for the introduction of her corn. I think that was admitted; at any rate it was generally understood. Sir, after the proposition which we made to Canada—after her acceptance of that proposition, and her fulfilment of its provisions—I must say that I do think the faith and honour of the Executive Government are pledged to carry through this measure. Under what circumstances did we propose the bill? We found a strong and almost unanimous feeling in Canada that the greatest advantage would arise to Canada if its wheat and flour could be admitted into this country. Their two great articles of commerce were timber and corn. The Canadas differed from other provinces in being a corn growing country and able to export it. Their situation was peculiar. We found also that a rebellion having sprung up in that country, the expense of suppressing that rebellion did not fall short of 2,000,000 of money, granted by direct votes of the House, added to which was the cost of maintaining the army there and transporting that army, and the increase of your navy, the whole expense falling very little short, in my opinion, of 3,500,000*l.* Then a perilous experiment had recently been tried. We found on coming into power that there were no fewer than twenty-two battalions of infantry stationed in Canada; that the boundary question was unsettled; Lord Ashburton's mission having not yet succeeded, the controversy still was going on; and then a perilous experiment of very doubtful and uncertain issue had been tried—two classes of the population, with interests and feelings apparently opposed to each other, two different races of people who were set against each other, had been united lately by an act of the previous Government, to which I gave my support because I thought it afforded the best chance of securing future good government. The hazardous experiment of the union of the two Legislatures was tried: we looked at these things, we regarded the expenditure for suppressing the rebellion, and the cost of the twenty-two battalions of infantry to maintain peace there; we bore in mind the unsettled question on the frontier, and that we were involved in a dispute with a powerful country at a great distance from our resources, and we added to this that the honour and security of England were not safe unless you carried with you the cordial good will and co-operation of the people of Canada. You have professed your readiness to support your relationship with Canada, and you are bound in honour to support it; and there can be no doubt that the Government in introducing the measure attached this important consideration to it,—that it would be taken as an indication of cordial good feeling towards Canada. And I now say that unless you carry that cordial co-operation of the people of Canada with you, the weakest point of the whole empire, the point most exposed to danger will be Canada. It is easy to talk of dissolving that alliance; but in point of honour and in point of policy you cannot set that example. If your connexion with Canada is to be dissolved, your connexion with New Brunswick, with Prince Edward's Island, and with Nova Scotia may follow; indeed, you will never be able to determine the point at which, in point of policy,—apart from a feeling of honour,—you must terminate your course. The more of ill-will, the more of dissension and unwillingness to submit to connexion with this country there are, the greater will be the temptation for foreign Powers to interfere. Her Majesty's Government were deeply impressed with the truth of these sentiments; and we did consider what facilities we could give to Canadian commerce with this country, thus drawing closer the bonds of union, without departing from the principle of the bill we passed last year with respect to the protection of agriculture, and without injuring the agricultural interests at home. Such was the importance we attached to that measure, which was met with so much hostility here; for if it did not pass by the unanimous consent of the Canadian Legislature, it was at least adopted by general consent. We refused to attach to it any reservations or conditions implying injurious suspicions of the honour or good faith of the Canadians. Those were the circumstances under which we proposed, or, if you will, invited this measure. It was assented to by the Legislature of Canada. Would they have passed it had it been pregnant with temptations to smuggling? True, there are persons who for the trifling sum of 2*s*. would undersell the fair trader; but the man must be mad who would attempt to smuggle corn under this bill, for the cost of conveying the corn would defeat the smuggler's object. When did you hear of smuggling corn from France when the duty here was 25*s*. or 26*s*. per quarter? And if, with a channel not more than from twenty to thirty miles across, when the duty was 25*s*., you had no smuggling from France or Belgium, do you think that, with the interest of the Canadian grower there to watch for himself, and the influence of the Canadian Treasury to take care that the duty is paid, and with the extent of the lakes and the expense of the navigation, smuggling will be carried on? Why, a quarter of wheat weighs 500lb., and the profit that could be got upon smuggling a quarter of wheat would not satisfy the smuggler, while it would be impossible for him to smuggle corn in a great bulk. It is irreconcileable to common sense that American corn can be smuggled in any quantity; therefore, do not reject the measure on the ground that there is a danger of smuggling, for no such danger exists. But bear in mind what must be the effect upon the Canadian Legislature if, meeting for the first time after all the events that have occurred, and after passing this act for the purpose of facilitating and increasing their intercourse with you, the first step which you take towards that colonial Legislature is to refuse them this measure, in respect to which you cannot show that there is any probability of dangers from its coming into operation. If they think a 3*s*. duty to their interest, coupling that interest with our advantage, can you deny that they are the best judges in the matter? Are they not so? Why have you permitted them to legislate? Why have you permitted them to sit as a popular assembly? Why do you say that it is not for the interest of Canada that they should be allowed to levy a duty of 3*s*. on the export of Canadian corn? This is very much of the same spirit in which you proposed the extinction of the colonial Legislatures altogether. There is, I say, a disposition on your part to undervalue these colonial Legislatures. They are popular assemblies. While they exist they must be considered as the best judges of the colonial interests. As I said before, the honour and faith of the Government are committed to them. This proposition is not made inadvertently as a single act of a colonial minister,—as a mere colonial measure,—it is brought forward at the instigation of the governor, with the full assent of the Government, by my noble Friend, as the organ of the Government; not deeming it to be a measure of any very great importance, little believing that it would excite that opposition or those apprehensions which it has produced; but honestly believing that it would be taken by Canada as an indication of friendly feeling, and cordial good-will of this country. I believe that it will be so taken, if it meets with the assent of this House. If it is rejected, and undoubtedly the House possesses the power to reject it, I believe that the advantage to be thereby derived to any principle of free-trade will be but a sorry equivalent for the disappointed hopes of the Canadian legislature and the Canadian people.

Lord *J. Russell*: Before addressing myself to the proposal now before the House, I must remark that I heard with considerable pain the declaration of the right hon. Baronet, that he considered Canada that part of the British empire which was most in danger.

Sir *R. Peel*: The purport of my observation was, that without the good-will of the people the colony might be in danger.

Lord *J. Russell*: If such was the purport of the observation of the right hon. Baronet, I must say that I think such an expression is most unnecessary, and will improperly lead persons to suppose that the province is in danger. It strikes me that such an observation is quite unprecedented—with regard to any part of her Majesty's dominions. With regard to some parts of this very country, I may ask, are they safe, unless they possess the general support of the people? The same observation surely must apply in all cases, and, therefore, I maintain that such an observation coming from the right hon. Baronet is most imprudent—and tends, as far as possible, to weaken the authority of the Crown in the province in reference to which it was made. The right hon. Baronet, in the first instance, applied himself to the constitutional part of this question, and the right hon. Baronet, like the hon. Member for Bath, her Majesty's learned counsel, insisted on the affront to the prerogative of the Crown, which it would be for the House of Commons to address her Majesty to refuse her assent to this act. The right hon. Baronet said, that it would be a mortification to the Crown; but I conceive it is only constitutional for this House to go up to the Crown and say,—"Your Majesty is ill-advised; the advisers surrounding your Majesty have advised a measure totally inconsistent with sound policy, and we, who are better informed of the interests and the policy of this country, counsel your Majesty not to give your assent to this bill, which has been procured by their measures." Is there anything inconsistent in such language, anything mortifying to the Crown? Mortifying it may be to the Ministers—but to suppose that it would be mortifying to the Crown seems to be great assumption as if the right hon. Baronet were identifying himself with the Throne and using an unconstitutional indecorum of language not to be expected from the right hon. Baronet. But, with regard to the constitutional merits of this question, I really think the right hon. Baronet has not looked into the act regarding Canada, or into those acts that at former times related to Canada. Sir, there is a provision in the act of union, and in former acts in respect of Canada, saying, especially with regard to certain subjects—such as the position of the Roman Catholic and Protestant clergy, and her Majesty's rights to and in the province, and other matters—that any other act passed in the legislature of Canada shall be reserved for assent in this country, and that it shall be laid for a certain time on the Table of the two Houses of Parliament; and that if either House of Parliament address the Crown, "it shall be void and have no effect;" in fact, not be an act at all. Well, then, the right hon. Baronet will say there is nothing about foreign duties, nothing about customs duties imposed on the frontier; but if the right hon. Baronet had looked to the next section (No. 43) he would have seen that the whole of the legislation, as regards the trade of the province, is reserved to the Imperial Parliament; for it declares

> "That with respect to any new duties and customs the Imperial Parliament shall have all the powers it hitherto had, provided only, that the amount of any custom duties that may hereafter be levied upon Canada shall not be paid into the Treasury of this country, but form part of the revenue of Canada."

That clause, if he mistook not, was added to the bill in the House of Lords; certainly, it was a constitutional provision, by which not only is the power of reversing an act of this kind reserved to the Imperial Parliament, but that power was reserved by the act of 1778. Lord Sydenham, whose opinions were quoted by the President of the Board of Trade on a former night, had stated that it would be very gratifying to Canada if she had further powers in this respect. And what did he ask? Did he ask for unrestricted power in Canada with regard to these matters, not subjected to the approval of the two Houses of Parliament? By no means. But he said, it would be gratifying to Canada, that in consideration of their local knowledge, they should have the power of originating such acts, but that they should not have the sanction of the Crown until they had been laid before both Houses of Parliament, and that they should not be allowed to pass contrary to an address to the Crown from either House of Parliament. Such was the doctrine that the noble Lord advocated on the power of the House of Commons or the House of Lords to address the Crown on these subjects; and it is nothing more than, according to their constitution, they have a right to expect. But with respect to this question, there is something more. If it had been an act passed previously by the Legislature of Canada, on a review of their own interests, and then brought before this House, it might have been argued that we ought not to interfere with matters purely colonial; but what is the fact? It is not one of the new acts arising out of the legislation uniting the two provinces of Canada; on the contrary, Lord Sydenham stated in his despatch that this very duty, or a duty of a similar kind, was brought before him, was considered, and was rejected. Therefore it is no special measure, arising out of their own voluntary determination to pass an act of this kind. The measure has been agreed to by the Colonial Legislature only on the suggestion and the bribe offered to them by the noble Lord—first, that the duties here should be reduced—and next, that they should have the whole amount of revenue collected paid into the Colonial Treasury, instead of that of the United Kingdom. Then, I say, that this surely is a case in which there can be no affront offered to the legislation of Canada, if we propose to interfere and address the Crown upon this subject; but, from my own view of the matter, I should propose a much stronger course. I have no objection to lower the duties now existing upon Canadian corn coming into this country; and I shall be quite ready to go into committee on that question; but I would bind the Legislature of Canada by no condition whatever. You may be sure, that the Canadians do not wish for the imposition of this duty upon American corn. They have many reasons against it. The hon. Member for Montrose stated, that there had been a stormy debate, and much anxiety was felt to know whether this corn was to be admitted duty free, in consequence of the imposition of a duty upon American corn and flour. The Canadians wish a boon, but they do not wish to have conditions imposed upon them, which they say, are so disagreeable. Sir, passing from the constitutional consideration of this question, there is one point on which no answer has yet been given. We have at present a very complicated system of corn duties. We have the system of the sliding scale, extending from 20*s.* to 1*s.*, and we are now to have a duty of 3*s.* on the American frontier, and 1*s.* here, making a duty of 4*s.* on the Canadian; and in respect of our other possessions, Nova Scotia, New Brunswick, and Prince Edward's Island, we are to have a sliding scale from 5*s.* to 1*s.* Why is there to be this triple system? Is it not enough to have a double scale; and will you be prepared to grant the same boon as you give to Canada to New Brunswick, and your other colonies, if they should ask you for it? To me the whole scheme appears injudicious and futile, and attended with no advantage to counterbalance the disturbance it will cause. I can only account for its being brought forward by supposing that the Government thought, after the great measures of last year, that everything would be so quiet this year, every thing so settled in Scotland, so tranquil in Ireland, that there would be nothing to dispute about, or give interest to a debate, unless some measures of this kind were brought forward. If this were the expectation, it has not been realized, and we might have been spared the discussion on this insignificant measure. What I object to, however, is the principle on which the right hon. Gentleman opposite seems peculiarly to pride himself—on which he made the proposal of last year, and on which, I think, this measure is founded. The right hon. Gentleman declares that the colonies are to be considered as integral parts of the empire, and governed as an English county. With respect to Canada being an integral part of the empire, it has been so ever since 1763—ever since the peace of Paris. There is no doubt about that. We defended it with the best blood of our soldiers and sailors. Their best blood was shed in the defence of that colony. But, then, he said that it is to be an English county. That is a different thing altogether, and is an impossibility in itself. What is an English county? An English county is a county which, in respect to its trade and communication with other counties, has everything free. Between Yorkshire and Lincolnshire you don't find any restriction in the communication. You do not find 5 per cent duty levied on the manufactures of Yorkshire when they enter Lincolnshire; but you find, that both counties were equally subject to the burthens of the country and the support of the army and navy; and every part of England, Scotland, and Ireland is alike subject to those burthens, and to the support of the army and navy, by which the empire is defended. Is that the case with Canada? By no means. She bears no part of those burthens. How then will you make Canada an English county, when she imposes 5 per cent duty on your manufactures, and is free from all your public burthens? What, then, is the meaning of this declaration? It seems to me to have a very mischievous meaning indeed, because the meaning of it is, that you will defend monopoly and restriction in every part of our colonial empire. It means, as I think, that you are in many respects so burthened by your past laws, so fettered by the restrictions that have been imposed, that you are unable to adopt those principles which the Ministers declare are the principles of common sense, —namely, the principles of free-trade as affects this country. All those who are for free-trade, must admit that you ought, if possible, to allow people to go and buy where and when they please, and sell where and when they please; that the common sense of the matter is, that that is a subject upon which the people can themselves decide; that they know where to buy the cheapest, and sell the dearest, and that therefore any legislation upon the subject is impertinent and unnecessary. But then you have difficulties to contend with in respect to certain matters in England, and I am one of those who feel the mischief of suddenly taking off these restrictions; still there are but a limited number of subjects,—there are only a few of our manufactures that need any sort of protection; but there is the very important article of corn, and it may be one or two other matters, on which protection is required. In respect to many articles, our climate does not produce them, and therefore we have no need of restriction or monopoly. But if you take the whole circle of our colonies, and the whole of our empire, and apply this system of monopoly, there is hardly an article on which you are not to impose some legislative restriction and bar to the enjoyment and the trade therein. Wine—you have no wine, and therefore you would procure the best from other parts. But the Cape of Good Hope produces wine also, and you therefore give it the advantage of a monopoly. Your own country does not produce sugar; but your West Indian colonies do, and therefore you must give the advantage to the West Indies, and prohibit your people from having sugar cheaper and better from other places. It is exactly the same thing as to this colonial corn. All those papers which lie on the Table of the House, and all the arguments used by these committees and Boards of trade in favour of the restriction, do but show the mischief and evil of it. My noble Friend says, there is a difference of 9*s*. in the transport along the Erie Canal by way of the St. Lawrence; but taking it at 5*s*. or 6*s*. only, the difficulty will arise, that everybody will prefer the Erie Canal by which to send corn to England. The natural inference will be, let us have it by way of the Erie Canal, it is 5*s*. or 6*s*. cheaper. But no; your colonial principle of making Canada an English county says, "now let us show what the wisdom of Parliament can do; let us make them bring their corn by the way which they would otherwise never think of." The right hon. Gentleman the President of the Board of Trade says, because the transport will be 10*s*. to Montreal, and 12*s*. or 14*s*. from Montreal to England, making together 22*s*. or 24*s*. for cost of transport alone, which seems to me a reason why corn should not come that way, and should be brought direct from the United States. I am quite ready to admit that there should be some difference in point of duty in favour of Canada over America, but I say let things take their natural course as much as possible, and interfere as little as possible with the trade of the world. What is the proposal of the Government? It is this, to contrive by the niceties of legislation, and by means of new restrictions, to force people to send American corn in this direction, for it is idle to say, that we can now get any Canada grown corn. You say you may hereafter have Canadian corn this way; but I have lately seen a certain letter which was read at some county meeting by the Member for Essex, and which he states was written by a person of very high authority; in the confidence of the Government, of great talent and consideration, which says—

> "That Canadian wheat from the reduction to 1*s*. duty on its admission into this country, would have some extension of cultivation in consequence; but that at present Lower Canada did not grow sufficient for its own consumption, and Upper Canada did little more than counterbalance the deficiency."

Then, if this be so, the bill is either to make American wheat come by an expensive and inconvenient route, or else to enforce a production in Canada which does not now exist; to nurture up by means of new, artificial protection, a landed interest in that colony, in order that some time hence, when it is deemed necessary to alter the Corn-law, you may be embarrassed with all these questions about mortgages and settlements of which we heard too much the other night. I think the Ministers must have an abstract love of protection—free-traders, as they professed themselves to be last year, they must have a love of protection or rather restriction for its own sake, to induce them to propose a protection which has never existed before, in order some time hence to produce all those evils which every man of sense is now deploring, that he cannot at once get rid of in this country. As such is the state of things, I do hope this House will agree to the proposition of my right hon. Friend. Among the apprehensions of Gentlemen connected with the landed interest is, that we shall have a large and an immediate influx of corn from Canada. There may be smuggling—after what I have heard, I cannot venture to deny that; but after seeing what are the expenses of transporting corn from the top of Upper Canada and the western provinces of America to this country, I cannot believe there would be such an influx of corn as many Gentlemen apprehend. But that there should be a great want of confidence on the part of the farmers is a matter which I can perfectly understand. I can understand very well too, that, not having daily communication with the Members of the Government, the Members of this House do not altogether believe in the reality of that small capacity of Canada for sending corn to this country which the Ministers of the Crown insist on. For the last three years I have seen nothing but deceptive statements on the part of the Members of the present Government as to the corn duties and free-trade; and there seems so much shuffling from one principle to another in their speeches and declarations, that I cannot wonder at the want of confidence shown at the Berkshire meeting, and at other meetings of farmers. Last year we had these contradictions in Gentlemen's own speeches. We were told in one speech that it was a great thing for this country to reduce the price of meat, and to introduce cattle from abroad; and in the same speech we were also told that there would be scarcely any cattle introduced, that it could not affect the price of live cattle, and that nobody need think of the changes but as a matter of the least possible importance. And I think the last week afforded a similar example of such statements. We were discussing the budget, and when the question was if we were to bear the burthen of the income-tax some time longer, the right hon. Gentleman said,

> "I have made such alterations in the customs, and so lowered the price of living in consequence, that many persons tell me they can pay the income-tax very easily out of the savings they make through the operation of the measures of last year. Such is the effect of my measures that you will see the income-tax can be well afforded."

That argument was very useful for that day, but it would not do for another, for some time afterwards came the corn-law question, and then the great majority of the advocates of that law, having no such feeling about the lowering of the price of corn, a different story was told; then the whole of the reduction in the prices of provisions was said to be caused by the distress of the manufacturing interest, and the consequent inability of the town population to consume the produce of the agriculturists. When we hear such different doctrines promulgated, and when the Government is so continually shifting about without keeping to any one ground or principle but states on alternate days, or even on one and the same day, and in one and the same speech things the mot contradictory, now saying they are not going to introduce free trade, and that they are defenders of the corn law, and then declaring that the law must be altered, when these things are continually happening, what wonder is it that the farmers should not very readily believe what they are told, and that they should be alarmed by apprehensions of new and further alterations in the corn law. My own opinion is, without agreeing in their apprehension, that the farmers have good reason for their mistrust, and seeing the harm and mischief that are done, and the fears that are created, I should say, do not make any changes unless you have a very essential object in view—do not touch these subjects except you make an alteration which the country will experience as benefit. On these grounds, as well as on others, I do not admire the discretion of the Government in introducing this question. As hopes have been held out to Canada, and I find reason to complain of the present scale of duties on corn coming from that colony. I shall be quite willing to consent to a reduction of the duty. But the right hon. Gentleman the President of the Board off Trade did certainly use a most extraordinary argument, in answering the reproach that the Government had adopted a fixed duty. He said that from 1828 to 1842 there was a fixed duty, and that it was only changed by the sliding-scale of last year, and therefore it is not an old law under which interests had grown up which we were now about to alter. But does not that argument show the instability and caprice of the Government? They had a fixed duty of 5*s*., but they were so enamoured with their sliding-scale, that they said, even as to colonial corn, we will use the sliding-scale. A sliding-scale there shall be—a sliding-scale there must be; and accordingly a sliding-scale was established by act of Parliament. And having shown their caprice in changing the then law, they are now going to be capricious again, make a new change, and adopt a fixed duty. Can any thing more plainly show that these Ministers, who call themselves conservative Ministers are now acting in the spirit of mere innovators, and are making changes for the mere sake of change. When an alteration is to be made without a prospect of benefiting either the people of Canada or England, or any mortal soul whatever, then these Ministers say, "We are the men for change, and change we will make, let its consequences be what they may."

The House divided on the question that the words proposed to be left out stand part of the question—Ayes 344; Noes 156: Majority 188.

List of the AYES.

Ackers, J.
Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Acton, Col.
Adare, Visct.
Adderly, C. B.
Ainsworth, P.
Aldam, W.
Alexander, N.
Alford, Visct.
Alex, J. P.
Antrobus, E.
Arbuthnot, hon. H.
Arkwright, G.
Ashley, Lord
Astell, W.
Attwood, M.
Bagot, hon. W.
Bailey, J.
Baillie, Col.
Baillie, H. J.
Baldwin, B.
Balfour, J. M.
Bankes, G.
Baring, hon. W. B.
Baskerville, T. B. M.
Bateson, R.
Bell, M.
Bentinck, Lord G.
Beresford, Major
Berkeley, hon. G. F.
Bernard, Visct.
Blackburne, J. I.
Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bowes, J.
Bowring, Dr.
Boyd, J.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Brooke, Sir A. B.
Brownrigg, J. S.
Bruce, Lord E.
Bruce, C. L. C.
Buckley, E.
Bulkeley, Sir R. B. W.
Bunbury, T.
Burrell, Sir C. M.
Burroughes, H. N.
Campbell, Sir H.
Cardwell, E.
Cartwright, W. R.
Castlereagh, Visct.
Chapman, A.
Charteris, hon. F.
Chelsea, Visct.
Chetwode, Sir J.
Cholmondeley, hn. H.
Christopher, R. A.
Chute, W. L. W.
Clayton, R. R.
Clive, Visct.
Clive, hon. R. H.
Collett, W. R.
Collett, J.
Colquhoun, J. C.
Colvile, C. R.
Compton, H. C.
Connolly, Col.
Coote, Sir C. H.
Copeland, Ald.
Corry, rt. hon. H.
Courtenay, Lord
Cresswell, B.
Cripps, W.
Currie, R.
Damer, hon. Col.
Darby, G.
Davies, D. A. S.
Dawnay, hon. W. H.
Denison, E. B.
Dickinson, F. H.
Disraeli, B.
Divett, E.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Douro, Marq. of
Dowdeswell, W.
Drummond, H. H.
Duffield, T.
Dugdale, W. S.
Duke, Sir J.
Duncombe, T.
Duncombe, hon. A.
East, J. B.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Ellice, rt. hon. E.
Ellice, E.
Emlyn, Visct.
Escott, B.
Esmonde, Sir T.
Estcourt, T. G. B.
Farnham, E. B.
Feilden, W.
Fellowes, E.
Ferguson, Col.
Filmer, Sir E.
Fitzroy, hon. H.
Fleetwood, Sir P. H.
Flower, Sir J.
Follett, Sir W. W.
Ffolliott, J.
Forbes, W.
Forester, hn. G. C. W.
Forster, M.
Fox, S. L.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Gladstone, Capt.
Glynne, Sir S. R.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Gore, W. O.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Grange, J. C.
Greene, T.
Grimston, Visct.
Grogan, E.
Hale, R. B.
Halford, H.
Hamilton, J. H.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hardy, J.
Hatton, Capt. V.
Hayes, Sir E.
Heathcote, Sir W.
Heneage, G. H. W.
Henniker, Lord
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hillsborough, Earl of
Hinde, J. H.
Hodgson, F.
Hodgson, R.
Hogg, J. W.
Holmes, hn. W. A'C.
Hope, hon. C.
Hope, A.
Hope, G. W.

Hornby, J.
Houldsworth, T.
Howard, P. H.
Hughes, W. B.
Hume, J.
Hussey, A.
Hussey, T.
Hutt, W.
Ingestre, Visct,
Inglis, Sir R. H.
Irving, J.
James, W.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Johnson, Gen.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kelburne, Visct.
Kelly, F. R.
Kemble, H.
Ker, D. S.
Kirk, P.
Knatchbull, rt. hn. Sir E
Knight, H. G.
Knightley, Sir C.
Lambton, H.
Lascelles, hon. W. S.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Legh, G. C.
Lemon, Sir C.
Lennox, Lord A.
Leslie, C. P.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, H. H.
Lockhart, W.
Lopes, Sir R.
Lord Mayor of London
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Mackinnon, W. A.
Maclean, D.
McGeachy, F. A.
Mahon, Visct.
Mainwaring, T.
Mangles, R. D.
Manners, Lord C. S.
Marsham, Visct.
Marsland, H.
Martin, C. W.
Marton, G.
Master, T. W. C.
Masterman, J.
Maunsell, T. P.
Maxwell, hon. J. P.
Meynell, Capt.
Mildmay, H. St. J.
Miles, P. W. S.
Milnes, R. M.
Mordaunt, Sir J.
Morgan, O.
Morgan, C.
Morris, D.
Mundy, E. M.
Murray, C. R. S.
Neeld, J.
Newport, Visct.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Northland, Visct.
O'Brien, A. S.
O'Brien, W. S.
Owen, Sir J.
Packe, C. W.
Paget, Lord W.
Pakington, J. S.
Patten, J. W.
Peel, rt. hn. Sir R.
Peel, J.
Pennant, hon. Col.
Philips, M.
Phillpotts, J.
Pigot, Sir R.
Plumptre, J. P.
Pollington, Visct.
Pollock, Sir F.
Ponsonby, hn. C. F.
Powell, Col.
Pringle, A.
Rashleigh, W.
Reid, Sir J. R.
Repton, G. W. J.
Richards, R.
Roche, Sir D.
Roebuck, J. A.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, C. G.
Round, J.
Rous, hon. Capt.
Rumbold, C. E.
Rushbrooke, Col.
Russell, C.
Russell, J. D. W.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Scarlett, hon. R. C.
Seymour, Sir H. B.
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Sibthorp, Col.
Smith, A.
Smith, J. A.
Smith, rt. hn. T. B. C.
Smyth, Sir H.
Smythe, hon. G.
Smollett, A.
Somerset, Lord G.
Sotheron, T. H. S.
Spry, Sir S. T.
Standish, C.
Stanley, Lord
Stanley, hon. W. O.
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Talbot, C. R. M.
Taylor, T. E.
Tennent, J. E.
Thesiger, F.
Thompson, Ald.
Thornhill, G.
Tollemache, hn. F. J.
Tollemache, J.
Tomline, G.
Trench, Sir F. W.
Trevor, hon. G. R.
Trotter, J.
Turner, E.
Turnor, C.
Vane, Lord H.
Verner, Col.
Vernon, G. H.
Vesey, hon. T.
Vivian, J. E.
Waddington, H. S.
Wakley, T.
Walsh, Sir J. B.
Ward, H. G.
Welby, G. E.
Wellesley, Lord C.
Whitmore, T. C.
Wilbraham, hn. R. B.
Williams, W.
Williams, T. P.
Wood, Col.
Wood, Col. T.
Wortley, hon. J. S.
Wyndham, Col. C.
Wynn, Sir W. W.
Yorke, hon. E. T.
Young, J.

TELLERS.

Fremantle, Sir T.
Clerk, Sir G.

List of the NOES.

Anson, hon. Col.
Archbold, R.
Arundel and Surrey, Earl of
Bailey, J. Jun.
Bannerman, A.
Barclay, D.
Baring, rt. hn. F. T.
Barnard, E. G.
Barrington, Visct.
Barron, Sir H. W.
Bell, J.
Benett, J.
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Blackstone, W. S.
Blewitt, R. J.
Brotherton, J.
Browne, hon. W.
Buck, L. W.
Busfeild, W.
Byng, G.
Byng, rt. hon. G. S.
Carew, hon. R. S.
Cave, hon. R. O.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Childers, J. W.
Clay, Sir W.
Clements, Visct.
Cochrane, A.
Colebrooke, Sir T. E.
Cowper, hon. W. F.
Craig, W. G.
Curteis, H. B.
Dalmeny, Lord
Dalrymple, Capt.
Dawson, hon. T. V.
Denison, J. E.
D'Eyncourt, right hon. C. T.
Dick, Q.
Duff, J.
Duncan, Visct.
Duncan, G.
Dundas, Adm.
Dundas, D.
Dundas, hn. J. C.
Du Pre, C. G.
Eaton, R. J.
Etwall, R.
Ferguson, Sir R. A.
Ferrand, W. B.
Fitzroy, Lord C.
Fitzwilliam, hn. G. W.
French, F.
Gill, T.
Gisborne, T.
Gore, hon. R.
Greenaway, C.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Guest, Sir J.
Hallyburton, Lord G.
Hastie, A.
Hawes, B.
Hay, Sir A. L.
Hayter, W. G.
Heathcote, G. J.
Heneage, E.
Henley, J. W.
Hill, Lord M.
Hollond, R.
Horsman, E.
Hoskins, K.
Howard, hn. C. W. G.
Howard, hon. J. K.
Howard, Lord
Howard, hon. H.
Howick, Visct
Labouchere, rt. hn. H.
Langston, I. H.
Layard, Capt.

Leveson, Lord
Long, W.
Macaulay, rt. hn. T. B.
Maher, V.
Manners, Lord J.
March, Earl of
Marjoribanks, S.
Marshall, W.
Martin, J.
Maule, rt. hon. F.
Miles, W.
Mitcalfe, H.
Mitchell, T. A.
Morison, Gen.
Muntz, G. F.
Murphy, F. S.
Napier, Sir C.
Neeld, J.
Norreys, Sir D. J.
O'Brien, J.
O'Connell, M. J.
Ogle, S. C. H.
Ossulston, Lord
Paget, Col.
Paget, Lord A.
Palmer, R.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Pendarves, E. W. W.
Philips, G. R.
Pigot, rt. hon. D.
Plumridge, Capt.
Ponsonby, hn. J. G.
Protheroe, E.
Pusey, P.
Redington, T. N.
Rendlesham, Lord
Rice, E. R.
Ross, D. R.
Russell, Lord J.
Russell, Lord E.
Scholefield, J.
Scale, Sir J. H.
Seymour, Lord
Sheil, rt. hn. R. L.
Smith, rt. hn. R. V.
Stansfield, W. R. C.
Stanton, W. H.
Stewart, P. M.
Stuart, Lord J.
Stuart, W. V.
Strickland, Sir G.
Strutt, E.
Tancred, H. W.
Towneley, J.
Traill, G.
Trelawny, J. S.
Trollope, Sir J.
Tyrell, Sir J. T.
Vivian, J. H.
Vivian, hon. Capt.
Wall, C. B.
Watson, W. H.
Wawn, J. T.
Wemyss, Capt.
Wilde, Sir T.
Wilshere, W.
Winnington, Sir T. E.
Wodehouse, E.
Wood, B.
Wood, C.
Worsley, Lord
Wyse, T.

TELLERS.
Tufnell, H.
Thornely, T.

House went into committe *pro forma*, and resumed. Adjourned at a quarter to one.

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HOUSE OF LORDS,

Tuesday, May 23, 1843.

MINUTES.] BILLS. *Public.—Reported.*—Turnpike Roads (Ireland); Privy Council.

3$^{a.}$ and passed:—Liberty of the Rules (Queen's Bench); Queen's Bench Offices.

Private.—1$^{a.}$ Belfast Harbour; Piel Pier.

2$^{a.}$ Bethnal-Green Improvement; Clarence Railway; Thames Lastage and Ballastage; Portsea Improvement; Glasgow and Three-Mile House Road; Cliffe-cum-Lund Inclosure.

Reported.—Anderton Carrying Company; South-Eastern and Maidstone Railway; Drumpeller Railway.

PETITIONS PRESENTED. By the Earl of Radnor, from Middlesex, for the Total and Immediate Repeal of the Corn-laws.—By Earl Powis, and the Bishops of Salisbury, Exeter, and Rochester, from the Clergy of Anglesey, Lindisfarne, Clare, Suffolk, Cornwall, Rutland North Froome, Baldock Seend, Melksham, Lacock, and the inhabitants of St. Mary-le-bone, against the Union of the Sees of St. Asaph and Bangor.—From several places, against further Grants to Maynooth College.—From Bridgewater, against the Bankruptcy Act.—From Farmers of Braintree, Bocking, and Chelmsford, against the Canada Corn Bill.

REPEAL OF THE UNION—DR. HIGGINS.] Lord *Camoys* begged leave to say a few words, which he thought were due to the character of a reverend and amiable prelate, who had been animadverted upon in severe terms on a recent evening by a noble Lord on that (the Opposition) side of the House. He did not think that the reverend prelate had used the language attributed to him. But, if he had, it was calculated very much to widen the breach between two classes of her Majesty's subjects. With respect to the present agitation which disturbed the peace of Ireland he was a sincere friend of the union between the two countries, but if he should be required to give his vote in favour of any measure of harshness or coercion to that country, he should do so with great reluctance.

Lord *Beaumont* said, he had not believed, that in their Lordships' House, there could have been found a Member to palliate the conduct of the reverend prelate to whom allusion had been made. But he was glad that the noble Lord who had just sat down had not attempted to defend the reverend prelate for the gross abuse of the privilege which attached to the sacerdotal character of which the reverend prelate had been guilty at the meeting at Mullingar. He had spoken to several of his co-religionists, and upon their authority he could assert that the reverend prelate on this occasion had not spoken the sentiments of the general body of the Roman Catholics of Ireland. Since he had addressed their Lordships' House on this subject, he had received letters from several influential Roman Catholics, who all approved of what he he had said; and he now said more, that if any case of difficulty or danger arose he would be quite prepared to trust to her Majesty's Government, who might be supposed to have more information on the subject than himself, to take the steps necessary for the suppression of any attempt to dissever the empire. He distinctly pledged himself to support any such measure, if it became necessary, even though it bore the appearance of being what the noble Lord described, a measure of coercion. In consequence of the conduct of the clergy at the repeal meetings, it became the duty of all the friends of the empire to open the eyes of the people to the impropriety of their conduct, and to tell them that the duties of the clergy were to attend the beds of the sick, to instil hopes into the bosom of the desponding, to lighten the afflictions of the distressed, and promote peace and good-will to all, but not to attend meetings for the purpose of preaching revolutionary opinions.

The Duke of *Wellington* only rose to remark upon the irregularity which was going on in alluding to a speech delivered on a former evening—a speech which was also irregular, in having been delivered when there was no question before the House.

Lord *Brougham* said, that the aristocracy could not so much complain of the reflections that were made elsewhere upon their order, when they must acknowledge themselves to be so disorderly. Perhaps he, too might be a little out of order, but he hoped he should be excused, as he only troubled the House in justice to Dr. Higgins himself. He held in his hand an important document, signed by Dr. Higgins himself, the sentiments of which were quite incompatible with the language which the reverend gentleman was said to have used at Mullingar. The noble Lord read from the pastoral address of twenty-six Roman Catholic prelates of Ireland (of whom Dr. Higgins was one), calling on the Catholics to show their respect and gratitude to a wise and enlightened Parliament, and to their wise and parental King and his council, for having restored religious freedom to Ireland by passing the Emancipation Act. The document was signed the 9th of February 1830, and he (Lord Brougham) did not think that in ten years the opinions of Dr. Higgins could be so altered, that he should now denounce the Parliament and aristocracy, whom he then held up to the reverence and love of the Irish Catholics.

The Earl of *Wicklow* knew that several right reverend prelates in Ireland were opposed to repeal. He knew himself, of two, Dr. Curteis and Dr. Murray, both of whom were men well acquainted with the country, and the circumstances in which it was placed. Had Dr. Murray been favourable to the principles of repeal he would have avowed it himself, and not have allowed it to have appeared through such an obscure medium as that of Dr. Higgins, at a bacchanalian meeting.

Lord *Brougham*: he knew from a meeting of the Catholic clergy, headed by the primate, that the Catholic clergy were not, as a body, opposed to the union.

Corn Laws.] The Earl of *Radnor*, pursuant to notice, rose to present a petition against the Corn-laws from the farmers of Uxbridge. This petition was agreed to at a meeting lately held in Uxbridge, and was signed by the chairman on behalf of the meeting. The corn market of Uxbridge, as their Lordships were aware, was one of the largest in the kingdom. The farmers of Uxbridge had invited Mr. Cobden, with whose name their Lordships must be well acquainted, to attend a meeting of farmers in Uxbridge, for the purpose of discussing the question of the Corn-laws with Mr. Pownall, a gentleman also well known, who once stood as candidate for the county. That invitation was accepted by Mr. Cobden, and he went down accompanied by Mr. Moore. This meeting was a select meeting, and confined exclusively to farmers. The greatest pains were taken to prevent the introduction to the meeting of persons of a different description. Considerable discussion took place, the result of which was, that a resolution was agreed to by a majority of about three to one, adopting the present petition against the Corn-laws. Some time back a noble Lord opposite, the President of the Council, said that it was not the present intention of her Majesty's Government to make any alteration in the Corn-laws. The agitation on this subject amongst the public had since been very much increasing, and he believed that the farmers themselves were very generally beginning to become converts to a repeal of the Corn-laws, and he must say that he thought the conduct of her Majesty's Government, in respect to this agitation, was anything but such as would conduce to a settlement of the question.

The Earl of *Mountcashel* begged to say, with respect to the meeting, that he had been informed that it was quite a hole-and-corner affair, He understood that Mr. Cobden, on going down to Uxbridge, found the farmers totally opposed to his views, and finding that he could get no support amongst them, it was no difficult matter for him to get one gentleman to take the chair and sign the petition in that character. If the farmers had not been opposed to the principles of the petition, was it not reasonable to suppose that they would have pursued the usual course, and signed the petition with their own hands? With regard to the assertion of the noble Earl, that the farmers were beginning to become favourable to a repeal of the Corn-laws, he believed that that apprehension was quite without foundation. Considering all the money which had been spent in order to influence the minds of the farmers, who were a class of persons not generally very well informed on all subjects, the wonder only was that more had not been brought over by the League to their way of thinking.

The Earl of *Radnor* said it was extremely disagreeable to him to be obliged to repel the statements of a noble Lord with statements for which he had not the authority of his own personal cognizance. He had not been present at the Uxbridge meeting, but he was informed by credible persons that what he had stated was true. He had admitted, that by the forms of the House the petition could only be received as the petition of the individual who signed it, although emanating from a large meeting. The noble Earl asserted that the meeting was a hole-and-corner affair, and that Mr. Cobden could get nobody amongst the farmers of Uxbridge to support him. He could only say that the meeting was advertised by placards for several days previous, and that it was attended by Mr. Wood and Mr. Byng, the members for the county, and by Colonel Wood, the member for Brecon, together with several of their tenants and friends. He was convinced that the meeting was anything but what could be called a hole-and-corner meeting, and the petition was entitled to as much attention from their Lordships as one coming from any public meeting could be. The noble Earl said that, in spite of the exertions of the League, very few converts had been made to their principles amongst the agriculturists. He would refer the noble Earl, however, to the result of the large agricultural meeting in Dorsetshire, which was attended by upwards of 3,000 persons, and where resolutions in opposition to the Corn-laws were almost unanimously adopted. Only two hands were held up against them. He would also refer to the Berkshire meeting, where the petition was adopted by a majority of about three to two. With respect to the Uxbridge meeting he declared again that he thought a more straightforward meeting never took place, whilst the resolutions were agreed to by a majority of three to one.

Petition laid on the Table.

THE NEW HOUSES OF PARLIAMENT.] Lord *Brougham* wished to draw the attention of their Lordships to a subject materially affecting their own proceedings and comfort; he alluded to the state of the new buildings which were to be appropriated to their Lordships' use as a legislative assembly. For the last fortnight or three weeks he regretted to observe, that these works had come to a complete stand still; whilst considerable progress had been making in other parts of the new buildings not designed for the use of their Lordships. He was sure that this was quite contrary to the contracts with the Woods and Forests, and if he did not see some progress made very shortly in these works, he should feel it his duty to call the attention of the committee to the subject. He understood that some umbrage had been taken elsewhere upon the allegation that greater progress had been making with respect to their Lordships' House, than with respect to that of the House of Commons. But in his opinion it was quite right that it should be so, for the fact was, that the House of Commons had turned their Lordships out of their House. Their Lordships were as ill off as it was possible for a legislative assembly to be, whilst the House of Commons was as well off as it was possible they could be. He had never been in the other House since he had been an unworthy Member of it, until he went there the other morning, when nobody was there, and he must say, that he never saw any House so admirably adapted in all respects for the purposes of the House of Commons as the House they at present occupied. With respect to the new buildings for their Lordships' accommodation, he trusted that steps would be immediately taken to compel the architect to go on.

The Marquess of *Lansdowne* said, the architect had told him that the delay was occasioned by the non-arrival of some stone which had been expected.

SEES OF ST. ASAPH AND BANGOR.] The Earl of *Powis*, after presenting petitions against the union of the sees of St. Asaph and Bangor, addressed the

House as follows:*—I shall now, my Lords, proceed to move the second reading of "An act for preventing the union of the sees of St. Asaph and Bangor." As I have the misfortune to be under the necessity of introducing this bill, one of the greatest ecclesiastical importance to the principality of Wales and to the Established Church, under the avowed opposition of the most rev. Prelate, who so worthily presides over the English Church, and his right rev. brethren the original members of the ecclesiastical commission, I feel it a duty which I owe to your Lordships to endeavour to vindicate myself from the charge of presumption. It will not be sufficient for me, my Lords, to endeavour to extenuate or apologise for the step that I am taking upon this important Church question. I do not wish to diminish or underrate my own responsibility. I ought to justify my course; I trust and believe I shall be able to do so. Nothing, I can assure your Lordships, but a sense of public duty, of the duty which I owe to my countrymen and to the Church in Wales, would have induced me to undertake the task of submitting to your Lordships' notice the details of this very important and interesting case. The first point which I shall take the liberty of urging in vindication of the course which I am pursuing, is, that the inhabitants of the principality, although they have the misfortune to know that their prayers and petitions are objected to by the most rev. Prelate, and by some of his right rev. Brethren, the original members of the ecclesiastical commission, know also, and that fact should also be borne in mind by your Lordships, that in preparing this bill I have had the advantage of the advice, and experience, and countenance of both the respected Prelates of St. Asaph and of Bangor, and their full approbation of the course I am about to pursue. Your Lordships will be pleased to bear in mind, throughout the whole of this important discussion, that the great complaint in the principality is that there is a general non-acquaintance with the facts of this important case on the part of those with whom the final decision in respect of the interests of the Church in North Wales has rested. My countrymen reside in a distant district; they have not the same facilities of communication which exist in other parts of the country; their country is an impracticable one, and consequently an acquaintance with the local and parochial difficulties of the Church in North Wales, and the steps necessary to maintain its interests, is limited, nay almost confined, to those who are immediately concerned in its administration. On the present occasion it is a satisfaction to me to know that the two right rev. Prelates who preside so worthily over the dioceses of North Wales are united in their testimony against the union of the sees of St. Asaph and Bangor. They are the best and most unexceptionable witnesses who can be produced; they are perfectly acquainted with what is due to the interests of the church in the principality, and their evidence is disinterested, the union of the two sees being deferred until both these rev. men shall have been removed from this sphere of their labours. If they had merely consulted their own ease, they might have left to posterity to deal with the anticipated evils when they should arise. They have pursued a very different line of conduct; they feel the duty they owe to the country which has been placed under their spiritual guidance; they feel the duty which they owe to the Church, of which they are distinguished members; and they have endeavoured to avert the consummation of those evils against which I am now contending. In addition to the evidence of these two right rev. Prelates, I must avail myself of the indirect testimony of unwilling witnesses—for so, I fear, notwithstanding their exalted station, I must describe the highly respected individuals I am about to name, as regards the act I have charge of—I mean the most rev. Prelate and his brethren, members of the Ecclesiastical Commission, who are also members of the Convocation. Your Lordships are aware that the assembly of the Church expresses its sentiments on some occasions in Convocation. The Convocation is composed of two houses, the upper and the lower, and the last time the Convocation met was in the year 1841. The Church is reported to have then declared in her public synod, and in a most unequivocal way, her objection to the proceedings of the commission with reference to the union of the two sees, which is now under the consideration of your Lordships. I will read an extract from a letter addressed to his Grace the Archbishop of Canterbury by a gentleman who signs himself R. W.

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* From a corrected report.

Huntley, who was proctor from the diocese to which he belongs, to the Convocation, and present during the occurrences which he relates. He says:—

> "On the last meeting of Convocation, early in the autumn of 1841, it seemed good to the upper House to send down to the representatives of the clergy an address to the Queen, to be passed by them, and to be presented to her Majesty. It was understood that this would be the only business proposed to their notice. The address, however, was found to contain a clause, recognizing and assenting to the commission and its acts, and making them express matter of congratulation. Now this clause, without any attempt either at modification or abatement of terms, was absolutely and entirely thrown out. The curtailed address was accepted by the upper House, and so was laid before the Queen, and by her Majesty was graciously received. Now this short history proves, beyond gainsaying, that the Church, on the sole occasion on which she has been permitted to speak, and then as far as power of speech was given to her, has, in a manner that cannot be misunderstood, and which ought to be known, declared her want of sympathy with the commission. She has declined to acknowledge it, and in her lawful assembly of bishops and representative priests she caused the mention of it to be erased; and yet, my Lord, it is in the face of this disclaimer—I say it with the most real respect, for I am well aware that the point has been overlooked—still in the face of this disclaimer it is, that the Ecclesiastical Commission are as yet maintaining the proposition that a bishopric shall be abolished. This being the case, I beg to submit to your Grace and their Lordships the bishops, and the Church at large, that the Ecclesiastical Commission, and consequently the resolves and acts also grounded on its report, do really become subjects of grave uneasiness, after such an expression of our ecclesiastical synod; that we have reason to fear a spirit of Erastianism, when the acts of the state continue to be promoted notwithstanding the church disapproves thereof, and declines to recognize the same; and, to come close to my present subject, when it appears that even a bishopric is to be suppressed, notwithstanding the public protests delivered against it, through the voice of the two bishops whose sees are concerned, through the voice of many other of her bishops, through her priests in Convocation, and through her clergy and laity expressing their sentiments in petitions."

In addition to this evidence, and in further justification of the course I am taking, I beg to state that I have been entrusted with petitions from Jesus College, Oxford; from different bodies of the clergy of the counties of Hereford, Hertford, Derby, Bedford, Suffolk, and Salop, Gloucester, and Hants; as well as the petition which I have this day presented, signed by 468 lay inhabitants of the important metropolitan parish of Marylebone and its vicinity, with the residences of the petitioners attached to their signatures. I have also had the honour of presenting petitions in favour of the proposition I am about to make to your Lordships, from the counties of Flint, Denbigh, Merioneth, Cærnarvon, and Montgomery in North Wales; and from Cardigan and Carmarthen in South Wales. Both the Universities have also petitioned Parliament on behalf of North Wales; one petition only has, I believe, been presented to this House. There is another petition to which I beg to call the particular attention of your Lordships;—first, on account of the power and ability with which it has been penned, and next, from the recollection of the success which followed the exertions of my noble Friend behind me (the Earl of Ripon), when he undertook on the part of the clergy and inhabitants of the Isle of Man, to obtain the repeal of the clause which went to annex the see of Sodor and Man to that of Carlisle, and by that repeal to continue the see of Sodor and Man as a separate diocese. The petition states:—

> "That your petitioners will ever most gratefully remember the powerful co-operation and the generous support which, in that arduous struggle, they received from the universities, the various chapters, archdeaconries, and numerous bodies of the clergy and laity of England and Wales, in advocating their cause with your right hon. House; and still more do your petitioners feel impressed with gratitude to the Parliament of the United Kingdom for their gracious compliance with the earnest prayers of the Manx people. That your petitioners feel in a peculiar manner the affinity between the sees of Sodor and Man, and St. Asaph and of Bangor—(I entreat your Lordships' particular attention to the following sentences)—all bishoprics of independent states for many centuries previously to the Isle of Man and the principality of Wales being incorporated in the British dominions—all in the earliest time endowed with funds for the maintenance of their several churches within their respective dioceses; all amid the revolutions of succeeding ages, the change of dynasties, and the reformation in the Anglican Church, preserved unimpaired by the storms of time or the sacrilegious hand of arbitrary power;—and all having poor, scattered populations, requiring the entire care and attention of the most jealous bishop. With these recollec-

tions your petitioners feel themselves called upon as fellow-Christians to return good for good, sympathy for sympathy, and most respectfully to express their earnest hope to your honourable House that these two most interesting remains of the episcopacy of former days, which ages of barbarism, of war, and of revolution have spared, may not, in these enlightened times be sacrificed to the expediency of measures which, however otherwise important, they beg leave most respectfully to express their hope may by other means be attained. That the ancient revenues of these sees may not be diverted from their legitimate object to assist in founding another see in a district unconnected with their own, and which is one of the most wealthy in the kingdom, but that the inhabitants of North Wales, by the blessing of Divine Providence, and through the wisdom and the justice of Parliament, for all time yet to come may be permitted to retain unchanged the incalculable advantages of their present episcopal establishment; and each see to continue to possess a separate resident bishop to preside over their churches, and personally to superintend and promote the spiritual and the temporal welfare of the people; and that at a time when it has been deemed expedient by the Government and sanctioned by the Crown, to consecrate prelates to all the widely-extended colonies of the empire in the four quarters of the globe, and even to the more-recently discovered shores of Australia; and whilst the rapidly-augmenting population of the British isles would appear likewise to demand an augmentation of episcopal superintendence, your petitioners would willingly hope that the next step in this great work will not be connected with the extinction of one of the very ancient bishoprics of the most ancient people of Britain."

I am also happy to be able to quote in favour of this measure the kind and fatherly reception with which the most Rev. Prelate at the head of the Church has been pleased to honour an address which was presented to him by the clergy of the diocese to which I have the happiness to belong—I mean the diocese of St. Asaph. From the address itself I will first take the liberty of reading the concluding sentences. They are as follow:—

"But all representations, however forcible, must, of necessity, fail in conveying to your Grace that knowledge of our peculiar position which nothing but an actual residence in Wales can afford; and we feel persuaded, that had the Ecclesiastical Commissioners been perfectly conversant with the almost overwhelming difficulties we have to contend with, from the fearful prevalence of dissent, the difference of language, the poverty and inaccessible nature of the country,—the question would rather have been how to strengthen the arm of the church by an additional bishopric, than to annihilate one of those sees which have existed for so many centuries amongst us. We entreat your Grace to believe that we are actuated by no interested motives in making this solemn appeal, but by a warm and filial attachment to the episcopal constitution, a jealous regard for the dignity and efficiency of the church, and an ardent zeal for the spiritual welfare of those who are 'committed to our charge.' We now most respectfully commend our petition to your Grace's serious consideration, earnestly trusting that the high powers with which it has pleased Providence to invest your Grace, may be exerted in rescuing from spoliation the sacred heritage of our fathers; and humbly praying Almighty God long to spare your Grace to edify and adorn the church, which is the common Mother of us all."

The following is the reply of his Grace:—

"My Dear Lord, *Lambeth, May* 1, 1843.

I have to acknowledge an address on the subject of the union of the dioceses of St. Asaph and Bangor, recommended by the Ecclesiastical Commissioners, which is signed by so many clergymen, both incumbents and curates, that it must be regarded as speaking the collective sense of the diocese of St. Asaph. I cannot but feel that such a declaration, proceeding from a body of clergy so strongly attached to the Church, and so zealous for its honour and its interests, is entitled to great attention; and I beg your Lordship to assure the petitioners, that I have received their address with the respect which is due to the importance of the subject, to the motives and character of those whose names are attached to it, and to the venerated Bishop by whom it has been placed in my hands.

I remain, my dear Lord,
Your Lordship's faithful servant and friend,
W. Cantuar.
To the Right Rev. the Lord Bishop of St. Asaph."

I trust I may be allowed to express a hope that the most Rev. Prelate will at some future, if not upon the present occasion, grant to the prayers of the petitioners the countenance and support which this letter indicates. I have now, I think, established sufficient grounds of justification of the course which I am taking in submitting this proceeding to your Lordships' consideration. I will next proceed shortly to detail the state in which the principality stands with respect to this great change; and, in doing so, I must take the liberty of assuming as an historical fact, hardly to be doubted now, that the union of the sees of St. Asaph and Bangor, and the creation of the bishopric of Manchester, are part of the same scheme of alteration, and were intended to be coexistent and dependent on each other.

No person will believe that so wild a proposition would have been submitted to Parliament as the extinction of one of the Welch sees, if it had not been accompanied by a proposition for establishing a bishopric of Manchester. It would be my duty and my desire to obviate objections to any measure which I have to submit to your Lordships' consideration. Upon the present occasion I am bound to conciliate those who have supported the proceedings of the Ecclesiastical Commission, or may for other reasons be opposed to my motion, since I feel that having taken no active steps in opposition to the 6th and 7th of William 4th., originally, when passing through Parliament, I shall undoubtedly add to the labour of Commissioners and of Parliament. A respectful consideration of other persons' opinions is therefore due from me. I shall, however, ask no concession which Parliament and the Commissioners ought not to concede, and may not concede, if they have the disposition to consider the case fairly and reasonably, and certainly none which will not benefit the Church at large. Two principal difficulties present themselves in the creation of a see at Manchester. First, the addition of a spiritual member of your Lordships' House; secondly, the want of means to provide an income for the bishop. Both objects were, however, attainable, by destroying an ancient Welch bishopric, and North Wales was doomed to be the sufferer, notwithstanding the protests of her bishops. The interests of North Wales were to be sacrificed to the expediency of creating a Bishop of Manchester. I have heard, in the course of my political life, many objections to the doctrine of political expediency. If that doctrine is objectionable in politics, surely it is undeniably more so in ecclesiastical and religious affairs; yet expediency is the only defence of this act of spoliation. Of the expediency, nay, necessity of creating a bishopric of Manchester no one can doubt, but who will venture to affirm the expediency of depriving North Wales of a Bishop, or deny that it must be an injury to the Church establishment there? With regard, then, to the first of the two difficulties which I have mentioned, I, for one, see no objection to an additional Prelate sitting in this House. On the contrary, I should readily concur in such a measure, and rejoice in at once securing to the great and wealthy population of the town of Manchester the benefits of an immediate episcopal superintendence. But, in order to meet the opinions of those who object to the introduction of an additional Bishop into this House, a course may be taken which I think may obviate all reasonable ground of opposition. Your Lordships are aware that whenever a reverend individual is first placed upon the Episcopal Bench, he becomes, as a matter of course, the Chaplain of your Lordships' House, and continues to discharge the duties of Chaplain until another vacancy occurs on the Bench. In the discharge of these duties reverend Prelates have been engaged one, two, and in one living instance, three years, accordingly as vacancies on the Bench are delayed; and during this period unremitting attendance on your Lordships' House during the assembling of Parliament is required of the newly-appointed Bishop. I beg to suggest that when a vacancy occurs on the Episcopal Bench, the individual nominated to succeed to the vacancy as junior or 27th Bishop, should not become either Chaplain of your Lordships' House, or a Peer of Parliament until a second vacancy should occur. To me it appears that many ecclesiastical advantages would arise from such a delay. The individual thus appointed would be able immediately to proceed to learn the duties of his high station, and to acquire a local knowledge of his diocese, and would be enabled thereby more effectually to fulfil the duties appertaining to his office when absent in attendance upon Parliament. Upon the next vacancy occurring the junior Bishop would at once succeed to the chaplaincy of your Lordships' House, and to his seat upon the Episcopal Bench. One reserve should be made in respect of this routine, in the event of a rev. Gentleman being elected in the first instance to either of the sees of London, Durham, or Winchester, a contingency which, inasmuch as it has occasionally occurred, (as in the case of the most rev. Prelate,) your Lordships will perceive ought to be provided for. The next topic I shall advert to is the income of the see of Manchester. In so doing let me first inquire, why, if it is right to create an episcopal see at Manchester, and you are in earnest as to the creation of it, why should it be delayed until both the diocesans of North Wales shall have been removed? Is it not conclusive, my Lords, that the spiritual interests of Manchester are made subservient to the acquirement of the tithes of North Wales, and the establishment of the bishopric is thus indefinitely postponed? From information which has reached me, I cannot doubt that the revenues which will eventually be placed at the disposal of the Ecclesiastical Commissioners will be abundantly sufficient for endowing the bishopric of Manchester without any abstraction of the revenues of the Bishops of Bangor and St. Asaph. If a full income is not immediately to be had let the most rev. Prelate at the head of the Church solicit the right hon. Baronet at the head of the Government to supply the wants of the see of Manchester by a temporary loan out of the funds known as Queen Anne's Bounty, which funds it has been proposed to mortgage for another important Church object. These funds are fully equal to the purpose. The aid required would be only temporary, since the surplus income of the archbishopric of York will amply supply an income for Manchester whenever a vacancy shall occur in the archiepiscopal see. I have stated at the commencement of my observations, that due consideration has not according to my judgment, been given to the interests of the principality, I now proceed to substantiate that opinion. The Principality, it should not be forgotten, contributes very largely to the ecclesiastical endowments of England. The establishments of Christ Church and of Jesus College, Oxford, derive a material income from the tithes of North Wales; and the dioceses of Lichfield and of Chester also receive a considerable income from the same source; while the sees of St. Asaph and Bangor have no revenues which do not accrue from the Principality itself. With these properties I do not wish to interfere. But I object to the further abstraction of any portion of our mountain tithes for the benefit of wealthy England, and their transfer from an individual holder, a kind and venerable inhabitant of our Principality, to any corporate body; the one anxiously alive to the wants of those around him, the other necessarily unacquainted with and indifferent to them. The Commissioners, in their first report, state, that—

> "One advantage which will result from the union of these two sees will be, the opportunity afforded of applying a part of impropriations, which constitute nearly the whole property of the bishoprics, to the augmentation of poor and populous vicarages in the united dioceses."

This recommendation of the Commissioners, instead of being followed up, has since been forgotten and laid aside; for it is now proposed that a considerable income should be taken from the Welsh bishoprics, and placed at the disposal of the Commissioners. The Order in Council issued under the provisions of the Act of the 6th and 7th William 4th, chap. 77, directs that the Bishop of the united dioceses of St. Asaph and Bangor shall pay annually into the hands of the Commissioners the sum of 4,750*l.** During the last Session of Parliament a continuation Act (5th and 6th Victoria, chap. 112), was passed with the additional object of securing certain property to the said sees of St. Asaph and Bangor. Clause 2 of this Act is as follows:—

"And be it enacted, that all lands, tithes,

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* As regards revenue it seems doubtful whether the Bishop of the united see of St. Asaph and Bangor would actually enjoy the income of 5,200*l.*, adjudged to him by the Second Report of the Commissioners.

The Commissioners, in their Second Report, recommend that he should pay over to the episcopal fund 3,800*l.* per annum, whereas the Order in Council enacting the union of the sees requires him to pay to that fund 4,750*l.* The Commissioners, in their First Report, estimated the future net revenue of the see of St. Asaph at 5,280*l.*; the income having fallen gradually from 1827 to 1834, and add, "there seems to be no prospect of improvement."

They estimate the future net revenue of the see of Bangor at 3,814*l.*; stating that "the tithes have fallen in value in 1833 and 1834 below the average of the three years ending 1831 650*l.*, and there is no prospect of increase."

	£
Future net income of St. Asaph	5,280
Future net income of Bangor	3,814
Total future net income of united dioceses	9,094
Deduct payment to Episcopal Fund by Order in Council	4,750
Income remaining to Bishop after fixed payment	4,344
Income allotted to Bishop by Second Report	5,200
Income actually remaining after fixed payment	4,344
Deficiency	856

tenements, and other hereditaments, and endowments whatsoever, held, possessed, or received by the right Rev. William Carey, Bishop of Saint Asaph, and the right Rev. Christopher Bethell, Bishop of Bangor, respectively, as such bishops, not being so held, possessed, or received in respect of any benefice with cure of souls, shall be, and be deemed to be to all intents and purposes part and parcel of the lands, tithes, tenements, and other hereditaments and endowments of the respective sees of Saint Asaph and Bangor, or of the united see of Saint Asaph and Bangor, as the case may be, and shall continue to be held, possessed, and received by the bishops of the same sees for the time being; subject nevertheless to any Order in Council issued under the provisions of an Act passed in the seventh year of the reign of his late Majesty, intituled 'An Act for carrying into effect the Reports of the Commissioners appointed to consider the state of the Established Church in England and Wales, with reference to ecclesiastical duties and revenues, so far as they relate to episcopal dioceses, revenues, and patronage, or of any other Act of Parliament."

My Lords, I have some difficulty in explaining this part of my case. I should certainly not have understood the object of this Act had I not seen a Bill which had been previously introduced into the House of Commons last year by Sir James Graham and Dr. Nicholl; the fourth section of which is as follows:

> " And be it enacted, that from and after the commencement of this Act, the dignity and office of Archdeacon of Saint Asaph shall no longer be holden by the Bishop of Saint Asaph; and the dignities and offices of Archdeacon of Bangor and Archdeacon of Anglesey shall be dissevered from the bishopric of Bangor, and be no longer holden by the Bishop of Bangor; and the then Bishops of Saint Asaph and Bangor respectively, or the Bishops of the united see of Saint Asaph and Bangor, and their successors Bishops of Saint Asaph and Bangor, shall forthwith and from time to time collate fit persons to the said archdeaconries respectively; provided that all lands, tithes, tenements, and other hereditaments and endowments formerly belonging to such dignities and offices, but now forming part of the respective sees of Saint Asaph and Bangor, shall continue to be possessed and enjoyed by the Bishops of Saint Asaph and Bangor respectively, and their successors Bishops of Saint Asaph and Bangor"

This Bill was withdrawn in consequence of objections raised against its being introduced when most of the Welch Members had left London to attend the summer assizes. It is remarkable, my Lords, that no previous notice of the archdeaconry of Anglesea occurs in the reports. It is not named except in the map attached to the Third Report. It is not noticed in the list as an old or a new archdeaconry. No mention is made of it until the introduction of the withdrawn Bill of last Session which had for one of its objects to separate the office and duties of the archdeaconry of Anglesea from the bishopric of Bangor, whilst the endowments of the archdeaconry were to continue annexed to the bishopric, not, as heretofore, in order to provide for the bishop of the diocese, but to enable the bishop of the united sees to contribute 4,750*l.* per annum to the Episcopal Fund. This remarkable omission tends to confirm my opinion of the want of knowledge of North Wales, upon the part of those who had the charge of these proceedings. The Act 5th and 6th Victoria, chap. 112, before referred to, has this remarkable difference,—it enacts the continuance of the property as therein described to the united bishopric, but omits all notice, by name, of the archdeaconries. Why is the mention omitted? Is the omission accidental or intentional? Another feature in this case is, that in its result it will practically continue one of those evils of church preferment which it was a principal object of your Lordships to do away with—I mean that of commendam. The archdeaconries of Anglesea and St. Asaph are both held by the bishops in commendam; the archdeaconry of Anglesea by Act of Parliament, that of St. Asaph by deed of commendam. It is, my Lords, objected to me that my proposition goes to repeal what is the law of the land. Here, my Lords, are two laws of the land, at variance with each other; one, the 6th and 7th William 4th., cap. 77, sec. 18, which enacts

> " That after the passing of this Act, no ecclesiastical dignity, office, or benefice shall be held in commendam by any bishop, unless he shall so hold the same at the time of passing thereof; and that every commendam thereafter granted, whether to retain or to receive, and whether temporary or perpetual, shall be absolutely void to all intents and purposes;"

The other, the Act of last year, which continues property so held as the property of the Episcopal Fund. The duties of the archdeaconries are separated from the bishopric; the income of the archdeaconries is to be applied to the Episcopal Fund; the Act despoils the archdeaconries of their own proper endowments, and leaves them totally without income; a proceeding directly at variance with the promises held out by the Commissioners, in their Fourth Report, in which they state,—

> "We desire to make a proper provision for the archdeaconries in Wales, which we are of opinion ought to be, as well as those of England, efficient and useful offices."

Again, while the First Report professes an anxiety to give aid to the poorer livings in North Wales the sinecure rectories in North Wales will, it is apprehended, be taken away to the general fund. The value of the sinecure rectories to be suppressed in England and Wales is somewhat above 9,000*l*., of which those in St. Asaph alone amount to near 4,000*l*. [*Vide* Second Report, p. 29, and note.] Under this head, therefore, the single diocese of St. Asaph will contribute to the general fund almost as much as England and South Wales together. Your Lordships would naturally suppose that arrangements would be made, with reference to this sum of money, to secure to St. Asaph, a proper share, Far otherwise. Payments by the Commissioners are made according to a scale which is regulated by the population of the parish to be assisted. As regards North Wales (a thinly-peopled but extensive country, where extent of surface, not population alone, must be the criterion, if justice is to be done), the result will be that the income will be taken away in a mass, and returned to the principality, if at all, in driblets; but the probability is, that no part of this income would again find its way into the principality. If these sinecures, as they became vacant, were applied (as they ought to be) to the increase of our poorer Welch livings, a most beneficial result must ensue. Another instance of the want of acquaintance with North Wales occurs in the transfer of the rural deanery of Montgomery from the diocese of Hereford to the promised united diocese; and that of Marchia, which includes the hundred of Oswestry, in Shropshire, from the diocese of St. Asaph to that of Chester. This change makes the intercommunication between the bishop and the clergy of the deanery of Montgomery more inconvenient than at present. Montgomery is about 50 miles from Hereford; it is between 60 and 70 from St. Asaph; between 80 and 90 from Bangor. From St. Asaph, the only road to Montgomery lies through Oswestry, in the deanery of Marchia, which is taken from St. Asaph and added to Chester. From Bangor to Montgomery the bishop and clergy must equally pass through Oswestry or cross the Berwyn mountain range. This difficulty was such that Mr. Telford, in laying out the Irish road from London, *viâ* Shrewsbury to Holyhead, felt himself obliged to adopt the circuitous route by Llangollen, instead of ascending that boundary of the counties of Denbigh and Montgomery. Mr. Telford says,—

> "I made three attempts to cross the Berwyn Ridge, which separates them (the valleys of the Severn and the Dee), but found the lowest pass 1,000 feet above Corwen bridge, and that the two others were respectively 1,100 and 1,200 above the same place. It therefore became necessary to proceed from the English plains, where the river Dee leaves the mountains at the bottom of the valley of Llangollen," &c., &c.—*Telford's Life*, p. 207.

The deanery of Montgomery has a population exclusively English. I do not believe a single native family in that deanery speaks the Welch language as their native language. In the hundred of Oswestry, on the other hand, there is a considerable Welch population. To satisfy your Lordships that this is no idle view of the case, I have only to name, that a few years since, a chapel was built and endowed for the purpose of enabling the Welch population of the parish of Oswestry to have the benefit of our Church service in the Welch language. Thus, the English population is transferred to a Welch diocese, the Welch population to an English diocese. The change may not be productive of any very material inconvenience, but it appears to be a change for the sake of change; no practical good is to be expected from it. It might, and would, have been avoided, if the commissioners had studied the locality otherwise than by a map; and the valley of the Severn might have been permitted to continue, as it has hitherto been, the natural boundary of the dioceses, and the division between those of my countrymen who speak the English and those who speak the Welch language. Another subject of great importance is the difficulty which the bishop in North Wales must encounter in the discharge of his duties. The united diocese consists of 3,250 square miles; the average dimension of English dioceses is not more than 2,196 square miles. Thus, where the roads are worse, the means of communication between the different parts of the diocese far more difficult than in England, it is proposed to make the Welch diocese half as large again as the average of English dioceses. The bishop of the united diocese will have double duties to perform, and half the income of the diocese is to be taken away. In those districts of the country where there are so few persons resident, your Lordships are hardly aware of the value of the constant residence of right rev. prelates. To remove one is to do a serious fiscal injury to the principality. To satisfy your Lordships of the spiritual injury my countrymen will have inflicted on them by the removal of one of their bishops, I will read to your Lordships the sentiments of a right rev. and eloquent Prelate (the Bishop of London) at a meeting of the clergy and laity, for the purpose of raising a fund towards the endowment of additional colonial bishops. The right rev. Prelate said:—

> "I am not about, my lord, to prove to this meeting that the episcopal regimen is essential to the perfectness of the Church. I hope, I believe I am addressing those who have imbibed that truth with their mother's milk; who have avouched it in their own persons; who are living in the enjoyment of its realities. For episcopal government is a reality; it is not a mere phrase; it is not a mere theoretical quality of the Church. The very name indicates its practical nature. The title of 'bishop' or 'overseer' implies an actual oversight of the household of Christ, members and ministers; and when that oversight is no longer possible, the Church, in so far as it ceases, to be under that oversight, ceases, as your Grace has before observed, to be an episcopal church, at least as to the practical advantages of episcopacy; except, indeed, that it may still have he word preached, and the holy sacraments dministered, by those who have been duly commissioned for the work. I have elsewhere remarked, that an episcopal church without a bishop, is neither more nor less than a contradiction in terms; and the Church ceases effectively to have a bishop when it is removed beyond his possible superintendence or ministrations. This ought not to be the case with any portion of Christ's church—with any department of his vineyard."

I intreat your Lordships to apply these beautiful sentiments to the presence of bishops in Wales. Another evil to the principality will arise from the whole patronage of the diocese being vested in one individual. Out of 250 livings, upwards of four-fifths will be in the gift of the bishop, while the patronage of the Crown, or of individuals, does not amount to one-fifth of the whole number. It will be impossible for the bishop, taking the difficulties of language into consideration, however conscientiously he may labour to discharge his duty, to make himself adequately acquainted with the qualifications of his clergy. The dioceses are, like the parishes, divided into localities, and to pass from one to the other is generally difficult, and sometimes impossible. My objections to these proceedings are, that they under the protection of an act for church reform, in almost every case make that which relates to Wales more inconvenient than formerly. The bishopric is to be doubled in size, the correspondence and communication necessarily doubled, while the means of the bishop are diminished in the same proportion that the inconvenience is increased, or his assistance likely to be required. The circumstances under which this unconstitutional act of the 6th and 7th of Will. 4th passed through Parliament give me an additional claim to your Lordships' attention. It was introduced at a period of great political excitement. Although objected to by the venerable prelates connected with North Wales, little attention appears to have been given to it in either House of Parliament. The unfavourable feelings towards the Church which were attributed to the previous Parliament, and the distant period to which the loss of one of the bishops of North Wales was apparently deferred, equally contributed to induce the laity in England and Wales to withhold expressions of objections to the measure. I think I have now satisfied your Lordships that I had good grounds for submitting this case to your Lordships' notice. I have shown that those best acquainted with the North Wales dioceses, advise against their union. That the Church, as a body, is almost unanimously opposed to it. That it is impossible to believe, that those who have decided to promote the union could be aware of the extent of the evil which it will entail upon the principality. These considerations will, I trust, induce your Lordships to receive with indulgence a proposition which, however humble the individual who proposes it may be, affects seriously the Church, and the spiritual interests and welfare of a large portion of her Majesty's dominions. I trust your Lordships will not disregard the numerous petitions upon your Lordships' Table presented by other noble Lords, as well as by myself, from all parts of this kingdom, or the almost unanimous voice of the clergy, where they have been enabled to express their opinions —- a unanimity greater I believe. than has ever before been expressed by that powerful and respected body, which indicates their apprehensions of the injury the church will sustain by the destruction of an ancient bishopric, and their sympathy for their brethren in North Wales, who are to be the more immediate sufferers by this objectionable and unconstitutional act. I feel I should have ill discharged the duties I owe to my countrymen, had I not submitted their case to your Lordships' House. The responsibility of deciding how these petitions are to be dealt with now devolves upon your Lordships. Before I conclude, I hope I may be allowed to address myself more particularly to the most rev. and right rev. Commissioners, under whose auspices the Act of the 6th and 7th Will. 4th, has hitherto been carried out. Individually I have no right to ask any favour from them, nor should I, as an individual, presume to do so. Honoured, as I have been, with the numerous petitions which I have laid upon your Lordships' Table, and thereby invested with a representative character; I, in that character, may venture to ask of those venerable Prelates whether they ought to refuse to consider the prayers of the petitioners. I hope they will allow me to remind them that they have higher duties to discharge than those conferred on them as Commissioners by this modern act of legislation;—that they are, my Lords, the Apostolical representatives of the church in this country;—that their duties as such are far more important than any which Parliament can confer. I hope they will allow me to urge earnestly, but respectfully, with how much greater satisfaction they will return from this discussion to their private retirement, if they shall be induced to reconsider the steps taken, and, by listening to the prayers of the petitioners, prove themselves no less the guardians and protectors of the church in North Wales than the promoters of her welfare in Manchester. Let these venerable men imagine to themselves the gratitude of the people of North Wales for having continued to them a blessing which their country has enjoyed for twelve or thirteen centuries. Allow me, my Lords, in urging these considerations to that venerable bench, to add that I am asking for my countrymen nothing of which they are not in possession, I ask no favour, no fresh boon. I merely ask your Lordships to arrest this prospective act in its course, and not by your countenance and support to aid in depriving the principality of blessings which have been consecrated by time, and of which neither revolution, civil war, nor change of dynasty, has hitherto been enabled to despoil us. I have, my Lords, only further to express my grateful thanks for the patient attention with which your Lordships have honoured me, and to move that the bill for preventing the Union of the Sees of St. Asaph and Bangor be now read a second time.

The *Duke of Wellington:* My Lords, I have listened with the utmost attention and respect to the speech of my noble Friend, and I must say, that there never was an occasion on which any of your Lordships has thought proper to apologise for his presumption—as was stated by my noble Friend—in addressing the House on any subject, in which such an apology was so little necessary as on this occasion on the part of my noble Friend. My Lords, I listened with the utmost interest to the statement made by my noble Friend on the part of those petitioners, whose petitions he has, during various periods of the Session, including the present evening, presented to your Lordships on the part of his fellow-countrymen of the principality of Wales, and particularly of the inhabitants of the territory, composing the dioceses of St. Asaph and Bangor. My Lords, I respect those persons on account of their sincere attachment to their Church, and their desire to maintain it in their country in the state in which it existed for a great number of years. I respect my noble Friend, my Lords, on account of the zeal with which he has advocated their cause. But, my Lords, I beg leave to remind your Lordships that you have other duties to perform besides those of attending to that call, however interesting, on the part of my noble Friend, and of the persons whose petitions he has presented to your Lordships from his fellow-countrymen, inhabitants of the principality to which he has adverted. My Lords, it is my duty—a duty which I have undertaken to perform, and which I must perform in this House—to call your Lordships attention to the nature of the proposition made by my noble Friend, and to what it is that you are now called on to repeal. I have to call your Lordships attention to what that law is, and to all the circumstances belonging to it, and I hope my noble Friend will excuse me if I should be under the necessity of discussing freely the arguments which he has brought forward in support of the measure which he has submitted to your Lordships. My Lords, I beg leave to remind your Lordships that the clause of the act which my noble Friend has proposed to you to repeal, is part of an Act of Parliament passed through this and the other House of Parliament, and certainly, as my noble Friend has said, with little opposition, at the time that it was passed. There certainly was no great degree of opposition, considering the importance of the question to which the Act of Parliament related. We certainly, at the time, never heard in this House a word of objection to the arrangement then proposed. There was, indeed, a question raised in the other House of Parliament respecting the use of the Welsh language, which question I see by the reports of the commissioners, and by the Orders in Council, has been settled in the most satisfactory manner. But with respect to the present part of the arrangement, until this Session of Parliament, I must say I never heard of any opposition to it. My Lords, my noble Friend has adverted, in the latter part of his speech, to the powers confided by this Act of Parliament, and which my noble Friend has styled as unconstitutional. I think I did hear that term applied before, and when the measure was before Parliament, I think that a similar objection was made to it; but, my Lords, considering the immensity and importance of the objects to be carried into effect under this Act of Parliament, I conceive that the powers it conferred, though great, were not too great to be conferred on those on whom the task devolved of carrying those measures into execution. I beg to remind your Lordships of what the foundation of those measures was. There was a desire universally felt, in the years 1834 and 1835, to render the Established Church more efficient or more useful, and the desire was to make its action more extensive, and to increase the attachment of the people to it by rendering it more useful, by removing anomalies and objections which might be made to it by some, and which might check the attachment of those who entertained a sincere affection and attachment to it. It was desired to attain those objects by means of the heads of the Church Establishment themselves, and that was done by the appointment of a commission, consisting of the principal dignitaries of the Church, of the Lord Chancellor, of the principal officers of the Government, and of some of the first statesmen then alive, or who had appeared in this country for many years. My Lords, these commissioners were appointed, made a report to the late King, and they proposed, if the Crown relinquished its patronage, the relinquishment of some of their own patronage. They proposed the eventual curtailment of the revenues of many of these dioceses, and they proposed a new distribution of the revenues of the Church, with the view of the more equal distribution of that part appointed to the episcopal order. They proposed the establishment of two new dioceses in the North of England, in those populous districts in the North of England, to be composed of parts taken from other dioceses; thus carrying into execution the object which every person reflecting on the subject must have wished to be fully carried—that is, of extending the influence and power of the Church of England in those great populous districts which have grown up in this country for the last century and a half. These desirable objects were to be attained, my Lords, by sacrifices there is no doubt; but my noble Friend, in bringing the subject before your Lordships, appeared to think that, in order to remove any inconvenience which might arise from the union of the dioceses, there would be nothing more easy than to create a Bishop of Manchester, or a Bishop of Ripon, and introduce him to the House of Lords. He appears to think, that nothing would be more easy than such a proceeding, but I am afraid that he forgot in his zeal what experience must have taught him,—namely, that the introduction of a twenty-seventh or twenty-eighth bishop into the House of Lords is not so easy as he appears to imagine. Public opinion must be consulted with reference to such subjects, and my noble Friend ought to recollect that, however attached he and his friends in North Wales may be to the Established Church, and however affectionately attached a vast portion of the population of this country may be to the

Church, yet it has some enemies in this country—that it is looked on with jealousy by some, and that it is not all who walk the streets in these large towns who would approve of the admission of new bishops to the House of Lords; and if my noble Friend will read the history of this country, he will find that there have been times when the presence of bishops in the House of Lords was not very agreeable to some. It is not, I repeat, so easy to add two bishops to the number in the House of Lords, and, therefore, when the commissioners took into consideration the propriety of appointing bishops to Ripon and Manchester, and when such a measure was approved of by them, they found it necessary to unite dioceses, so as to make two seats in the House of Lords, in order to make room for the Prelates who should be appointed bishops of Manchester and Ripon. It was in consequence of this necessity that it was proposed to unite the Sees of Bristol and Gloucester, and the Sees of St. Asaph and Bangor. I have been in this country, my Lords, ever since the union of the dioceses of Bristol and Gloucester, and I must say, that I have not yet heard any complaint of any evils resulting from that measure. Yet those sees were both important, and since they have become united, the affairs of the Church have been carried on in that united diocese with equal satisfaction as elsewhere. The greatest possible advantages on the contrary, have resulted from following the recommendation of the commissioners, and I am satisfied that the same advantages would result from carrying into execution immediately, if possible, the recommendation of the commissioners with respect to a bishop for Manchester, and it is desirable that it be carried into execution as soon as possible. But my noble Friend says, that the greatest possible inconvenience would arise from this union of the sees of St. Asaph and Bangor. Now, my Lords, I do not mean to say, that inconvenience may not result from this union, for on that subject my noble Friend is better capable of judging than I am; but it is not exactly the fact to say, that the bishops of these dioceses were not consulted when the proposition was under the consideration of the commissioners, for at that period both the Bishop of St. Asaph and the Bishop of Bangor were called on to assist the commissioners. They did attend on that occasion, and they made a proposition with respect to impropriate tithes in the dioceses. I beg leave also to say, that when this subject was previously discussed in the presence of the right rev. Prelates, (and there are not two more respectable Prelates on the Bench), it was not objected to on the ground of any inconvenience resulting from the union, but it was objected to in reference to the appropriation of certain impropriate tithes. So far as the argument of the inconvenience of the union of the sees is concerned, I admit that there may be some inconvenience; but there is no greater inconvenience now, nor is there likely to be any greater hereafter, than when the measure was proposed, and when the objections were made on a different ground. I do, therefore, submit, my Lords, that if the measure were admissible at a former period, in the 6th and 7th Will. 4th, it is admissible at the present moment. If there should be any inconvenience, it cannot be of that magnitude which ought to induce your Lordships to take the first step in a course which would be looked on as a symptom of your intention to depart from this great measure. I feel it my duty, as a Minister of the Crown, therefore, to ask your Lordships to pause and consider well before you adopt such a bill, under these circumstances, as that which has been proposed by the noble Earl. I wish, my Lords, that the House would declare, on this ground, its sense of the motion, and show to the country that it is not its intention to depart from any portion of the measure of which this bill proposes to repeal a part; but that, on the contrary, it is the intention of the House of Lords that the whole of it shall be carried into execution as early as circumstances will permit. This is not a measure, my Lords, in which the credit only of individuals is involved; but it is a measure in which the credit of the Church, and the honour of Parliament are involved, and therefore I entreat your Lordships not to listen to the affecting speech of my noble Friend when such great interests as those I have alluded to are at stake. I have already stated, that it will be impossible to carry into execution a measure to appoint a bishop for Manchester. If your Lordships pass this bill, I beg to remind your Lordships that there are other dioceses in Wales that require assistance. There are the dioceses of Llandaff and St. David's, and they will get assistance to the amount that will be saved by the arrangements that will be carried into effect. My noble Friend referred to a measure passed last Session, with reference to the archdeaconry of Anglesea, but the words of the act which he quoted were not inconsistent with the words of the 6th and 7th of William 4th. My noble Friend adverted to carrying to the account of the general fund the income arising from the revenues of sinecure rectories, and he complains of the dioceses being thus deprived of some advantages in respect to the ministration of the duties of religion. What, my Lords, duties from sinecure rectories. The very word precludes the idea of the performance of duties. No!—the revenues were taken away because there was no duty performed, and they will be taken into account, with respect to the performance of duties, in any arrangement that may be made hereafter. I have stated this much, my Lords, in consequence of the observation of my noble Friend that the duties of the diocese would receive injury from that application of the revenues. With respect to the other points of my noble Friend's speech, having reference to matters of detail, I can only say that I was not a member of the commission, and that it is not in my power, therefore, to enter into a lengthened statement with respect to those details —but this I must say, that there can have been no object in the measure (a portion of which this bill proposes to repeal) but to make all the arrangements in the manner most convenient to the country generally. There would have been no desire to injure the dioceses of St. Asaph and Bangor, or any other district in the kingdom; but the object was to make a better distribution of the revenues of the Church, and to satisfy the public of a sincere desire to effect such a reformation as would be a real one, and such as would give satisfaction not only to those who were attached to the Church, as my noble Friend and myself, but also to others who looked on it with indifference. Now I have shown to your Lordships, as far as I am able, the object of the measure. I have shown the advantages that have arisen from its being carried into effect so far as it has gone, and I have endeavoured to show your Lordships the advantages that would result from carrying it completely into execution. I have shown how important it is that the public should not entertain the notion that it is the intention of the House of Lords to give way on any part of this subject, and I entreat your Lordships not to consent to the bill proposed by my noble Friend. With regard to the act for the union of the diocese of Sodor and Man with Carlisle, and their separation afterwards, which was brought forward by my noble Friend as a precedent, I was in the House when the bill which has been alluded to as a precedent passed, and I recollect that both my noble Friend, who moved the bill, and the most rev. Prelate who sits on the bench above me, and the noble Viscount who used to sit in this place (Viscount Melbourne), and whose absence in consequence of illness no man more regrets than I, all three remonstrated against it, and objected to its being used at a future period as a precedent. That bill, my Lords, cannot be considered as a precedent for this bill, that union of Sodor and Man with Carlisle was connected with nothing else, and I recollected that my noble Friend who moved the measure stated that inconvenience would arise from the necessity of the Bishop being required to reside in the Isle of Man, whilst his other duties would require his attendance at Carlisle and his attendance also in the House of Lords occasionally. That bill, therefore, had no more resemblance to this measure than any bill which my noble Friend could mention, and, under all the circumstances which I have stated to your Lordships, I feel it my duty to move that the bill be read a second time this day six months.

The Earl of *Powis*: I beg to state in explanation that I am equally with the noble Duke opposed to the continuance of the sinecure rectories according to their present system. My objection was not to the suppression of these rectories, but to their income being abstracted from the poverty of Wales and applied to the endowment of livings of wealthy England.

The Bishop of *Bangor* owed it to the Church, and to the people of his diocese, to press himself, however unwillingly on his part, upon the notice of their Lordships. First, as to what had fallen from the noble Duke, who had said that he and his right rev. Brother of St. Asaph had attended a meeting of the commissioners, and proposed that the surplus of the impropriated tithes should be applied to the improvement of the poorer benefices. When he and his right rev. Brother attended the commission, and when they were asked whether the united dioceses of Bangor and St. Asaph could be administered by a single prelate, they felt that they could not say it was impossible to be done when they considered the extensive districts over which other bishops presided. This, however, was the only question which was put to them. They were not asked anything as to the feelings of the people upon the subject. It was said that he was present when the question was debated in that House; but neither he nor his right rev. Brother of St. Asaph was present on that occasion. The debate came on at a late period of the Session, and as they felt it would be in vain to attempt any opposition they had not remained in town. He would say, on behalf of the supporters of the present bill, that it was not their wish to disturb the great measure which had been carried, nor was it their wish in any way to interfere with that measure; but he was at the same time desirous of calling attention to some of its provisions, and of expressing a wish that their Lordships would yield their assent to the bill now before them. The removal, by the union of Bangor and St. Asaph, of an ancient see which had existed for 1,300 years, was a matter of some consideration, and it must be admitted that the extinction of a bishopric so ancient was in itself a great evil—an evil which should by all means be avoided unless some case of absolute necessity were made out. Now those who advocated the present bill contended that no such necessity had been established. Not one of those who wished for the present measure was not desirous of seeing a bishopric established in Manchester. Indeed, they lamented that such was not already the case. They also rejoiced to see that a bishopric had been established in Ripon, not only because of the establishment itself, but because of the excellent person who had been appointed to preside over the diocese with such credit to himself and such advantage to the people; but they did not see that to effect these changes it was necessary that an ancient bishopric should be destroyed by the union of St. Asaph and Bangor. When the commission first reported in 1835, their object appeared to be to procure a seat in that House for a Bishop of Manchester; but even if this could not be effected, it surely would be more desirable that there should be a bishop without a seat in that House than that an ancient diocese should be annihilated. The noble Duke observed, that many persons would object to increase the number of episcopal seats in that House. He was aware that many persons entertained such objections. Perhaps some of their Lordships might entertain such objections, and similar objections might be entertained in the other House of Parliament; but those who entertained such objections to the bench of bishops on principle would not be likely to oppose an individual addition. He must say that he thought the inhabitants of the diocese had great reason to complain of the conduct of the commissioners, who had in fact withdrawn the proposition made in the first instance, and devoted the revenues of the diocese to purposes very different from those to which it was expected they would have been applied. He trusted that in making this observation it would not be supposed he was speaking disrespectfully of the commissioners; he spoke of them as a body, he did not call in question the motives or the principles by which they had been actuated. Suppose it had been necessary that these revenues, the application of which had been solemnly guaranteed, as far as the recommendation of the commissioners went, should be appropriated to other purposes—suppose it had been considered ever so advisable that such an alteration should take place, he thought that a better, and a more conciliatory course might have been adopted than had been pursued with reference to such a change. It might naturally have been supposed that the commissioners would have afforded some explanation, which might have satisfied those whose expectations had been disappointed that the change had not been made without just and sufficient reasons. He thought the commissioners could not have recommended a course different from that which they had previously urged without some reason for their conduct; and they ought to have been stated. He had endeavoured to obtain some explanation from the commissioners, in order to give satisfaction to the people of the diocese, who were greatly dissatisfied when they found that the revenues which had been pledged to the support of the poorer vicarages had been applied to different purposes, but he had been unsuccessful. In 1836, when the commissioners recommended the union of the sees, he wrote to the secretary to the commissioners stating, that the proposed appropriation of the tithes had excited a great sensation in the diocese, and that the contemplated union of the sees was regarded with strong dissatisfaction by the clergy, the gentry, and the people, and he requested to be informed on what grounds the proposed alteration was recommended. The secretary replied, that his letter had been received, and that it would be laid before the commissioners, but he had been disappointed at receiving no communication from the commissioners with reference to the grounds on which the change was proposed. On the 21st of March, 1837, he presented petitions from his diocese, praying that their Lordships would adopt such measures as might prevent the application of the surplus tithes to any other purposes than the augmentation of the poorer benefices; and in 1839 he presented several similar petitions from different parts of the diocese. In 1840, when the measure known as the Cathedral Bill was brought into the House of Commons, a noble Earl and several Gentlemen connected with the principality waited upon the noble Lord (Lord J. Russell), who then conducted the business of the Government in the other House, and called his attention to the general state of the Welch dioceses, requesting his Lordship's careful attention to those portions of that bill which referred to those dioceses; and the noble Lord then proposed to strike out of the bill the clauses relating to those dioceses, stating that a measure relating to them might be the subject of future consideration. A bill was afterwards introduced by a right hon. Baronet, a Member of the present Government, with reference to the Welch dioceses, which included nearly all the clauses which had been struck out of the former bill by the noble Lord. This bill was introduced at a very late period of the Session, and at a time when he (the Bishop of Bangor) and many Gentlemen connected with Wales were absent from London. He was at the time in Wales, and he immediately wrote to the right hon. Baronet to inquire whether it were his intention to proceed with the bill? and the right hon. Baronet replied that it was his intention to press the measure. The bill was, however, at a subsequent period of the Session withdrawn; but the right hon. Baronet intimated his intention to introduce a similar measure during the next Session of Parliament. The subject then began to excite increased attention and apprehension in the principality, where, among some classes, great ignorance had prevailed with respect to the proceedings which had previously taken place, and the effect of the proposed alterations. The clergy, after full consideration, were convinced that the course they ought to adopt was to apply to Parliament to repeal the act 6 and 7 Will. 4th, c. 77, so far as related to the union of the two sees of St. Asaph and Bangor, and for the rescinding of the orders in council which had been issued to give effect to the provisions of that act. The measure now under their Lordships consideration would not have been proposed if it had not met with strong and general support throughout the country. The number of petitions which had been presented to their Lordships afforded clear evidence of the strong feeling which was entertained on the subject by the general body of the clergy of the kingdom, and especially by those whose interests were so deeply affected by the measure which had formerly received their Lordships' sanction. All for which they asked was the preservation of their own ancient dioceses. The clergy in every part of the kingdom evinced the strongest sympathy on their behalf; and from the petitions which had been presented in support of their views from so many ecclesiastical corporations, from the two universities, and from a great body of the clergy, they had been led with some hope of success to make this appeal to their Lordships. A right rev. Prelate had expressed his surprise, that if so strong a feeling existed against the union of the sees, the opposition had not been pressed at an earlier period. But, considering the state of feeling which existed in the country at the time when the bill providing for the union of the dioceses was introduced, and considering also that about the same period a considerable reduction was effected in the number of bishops, it was not deemed advisable at that time to oppose the measure. As he had before stated, however, the feeling of the clergy and of the people was strongly opposed to the act, and they earnestly entreated their Lordships to assent to its repeal. The spiritual interests of the two dioceses would suffer most seriously if the two sees were united; he therefore implored their Lordships not to turn a deaf ear to the prayers of the whole principality, to the petitions of the two Universities, and of so many of the clergy and respectable laity in different parts of the country, by rejecting this bill.

The Earl of *Ripon* did not think this at all analogous to the case of Sodor and Man. If that see had been united to Carlisle as had been proposed, the result would have been, that the Bishop of Sodor and Man would, under an act of the local Legislature, with which Parliament had no power to interfere, forfeit a great portion of his income. At all events, he had taken no step in the matter till he knew that the different members of the commission were not indisposed to sanction the alteration he proposed. He felt quite incompetent to enter into the merits of this particular case. He was content to rest the vote he should give on that most able and remarkable speech which had been addressed to their Lordships by his noble Friend, the noble Duke. Although he might be accused of inconsistency, all he could say was, that the course he took in the course of Sodor and Man, and that he intended to take upon the present occasion, were dictated by the most solemn conviction of what was best for the interests of the Church.

The Archbishop of *Canterbury* felt bound to acknowledge the courtesy and temper which had marked alike the speeches of the right rev. Prelate and of the noble Earl who was the mover of this bill. He also felt the highest respect for all the authorities which had been quoted by the noble Earl. To these authorities he would not refer further than to observe, that there was no ground whatever for representing the convocation as condemning not this measure in particular, but the acts of the commission generally. He had been a member ef the Ecclesiastical Commission since its first institution; and if there was any merit in having been one of the original advisers of its appointment he could claim that merit also. Placed in this position with regard to the commission, he hoped to be able to show to their Lordships that with reference to that branch of their duties which was now under the consideration of the House they could not have done otherwise than they did; and that, although, as in all earthly affairs, there must doubtless have been an admixture of evil with the good they had effected, still they had, under all the circumstances, done the best they could. By the terms of the commission, they were to inquire into the state of the dioceses of England and Wales, with reference especially to the amount of their revenues, the more equal distribution of the episcopal duties, and the practice of holding commendams with the cure of souls. It appeared to the commissioners, that in the archdiocese of York there were 831 benefices, and a population of 1,400,000; that in the diocese of Chester, there were 544 benefices, and a population of 1,900,000. That dioceses with such a population (to say nothing of their vast extent) ought not to remain as they were, could not admit of a doubt. The commissioners, therefore, proposed to form the two new dioceses of Ripon and Manchester; he believed they were all agreed as to the good results that had followed from the establishment of the former bishopric, and also as to the eminent services of the right rev. Prelate who had the charge of the diocese; and, with regard to the latter, he must say, that looking at the population of Manchester and its neighbourhood, and bearing in mind events that had recently occurred, the commissioners would have been wanting in their duty had they not recommended the erection of an episcopal see in that great town. Even now the population of the diocese of Ripon was 739,000 souls, while that of the proposed diocese of Manchester was upwards of 1,300,000. But the population of the existing diocese of St. Asaph was but 197,000, and that of Bangor was but 158,300. The number of benefices in St. Asaph was 131, and of those in Bangor 124. So that if the two sees were united, the number of benefices would be about 255, and the population would be a little above 350,000, being less than that of sixteen other dioceses, about equal to five, and more than that of four. Looking at these facts, looking also at the contiguity of the two dioceses, and the impossibility of effecting an union of either with any other diocese, he really did not see how the commissioners, with due regard to their instructions, could have acted otherwise than they did. His right hon. Friend had complained of the mode in which the commissioners proposed to dispose of the surplus revenue of the two dioceses. All he could say was, that if they took with one hand, they were prepared to give with the other. The surplus was to be paid into the episcopal fund. The commissioners had found the means of providing sufficient incomes for all the bishops, without the addition of any preferment in commendam.

This he looked upon as a liberal proceeding towards the subordinate clergy, whose fair expectations of promotion had been so much abridged by the suspension of canonries and other dignities. Preferments to the amount of 39,000*l.* a-year were then laid open to the clergy at large, and the bishops were enabled to devote their whole time to the duties of their respective dioceses, instead of residing, as before, during a part of the year, at cathedrals in dioceses not their own. This salutary arrangement was effected by a redistribution of the episcopal revenues at the expense of the richer sees. And it is surely but reasonable, that the united sees of St. Asaph and Bangor should contribute to this object in its due proportion. His right rev. Friend had dwelt much on what he supposed to be the temper of the commissioners; a temper which he seemed to think had been communicated to the House. But he must say, that although the second commission included some names that were not in the first, the proceedings of both commissions were carried on in the same spirit of regard to the interests of the Church, and he was happy to bear testimony to the fairness that had actuated the commissioners on all occasions. These commissioners were parties to the arrangement with respect to the union of the two sees, with the tacit acquiescence, not only of the Welch, but also of the English clergy. No memorials were presented at the time, against the proposed union, and he was entitled to ask what injury had been done to Wales since the passing of the bill, or what alteration had taken place in the Church which should require this change in an act, which had been passed, without a division, by both Houses of Parliament? He believed that Wales would suffer no material damage from the consolidation of the two bishoprics, he did not think that the extent of country, or the population, or the number of benefices, would be such as to exceed the powers of one man to attend to. There were in the kingdom three bishoprics with a greater extent of country and population, and with twice the number of benefices. The nature of the country was objected, and he made no doubt but that there were places very difficult of access; but was that not the case also in other dioceses? If it were the duty of the diocesan to make parochial visitations, which was not possible in the present state of our episcopacy, he apprehended that in parts of Kent and Sussex, the bishop would find great difficulty in making his way to some parishes. If he thought that any evil would result which would not be greatly counterbalanced by good to the principality or to the Church at large, no consideration whatever should prevent him from retracting the opinion which he had before given. But when he looked at the population of the united dioceses of St. Asaph and Bangor, and the population of Manchester and its neighbourhood, he could not think that the two were to be set in comparison. They must consider the general interests of the Church, and whilst they did the best they could for every part of it, they must not overlook the whole. If what had been done five years ago, for the purpose of settling the Church, was to be undone without any alteration having taken place in the circumstances, there might be other alterations proposed with respect to the Church, which would be really injurious. He saw no necessity for undoing what had been done by the deliberate wisdom of Parliament. With regard to the appointment of any additional bishop much consideration was requisite, and the act did not provide for this, but only for the consolidation of the Welch bishoprics. With great deference to the judgments of others, he must adhere to his original opinions.

The Bishop of *Salisbury* would beg leave to remind their Lordships that this was no mere question of Welch bishoprics; it was a measure deeply important to the whole Church, and which interested the feelings of the laity of that district in an almost unprecedented degree. He should proceed to state to their Lordships the grounds on which he should vote in favour of the bill which had been introduced into their Lordships' House. The consolidation of two such ancient bishoprics was a measure which could not but hurt the feelings of all the inhabitants of the district—of a sensitive people still possessed in a considerable degree of a national feeling on this subject. This was a measure which it must be allowed weakened the Church in a part where least of all it could bear it, and in a part where it behoved them to consider how it was possible to add new strength. This measure was further objectionable with respect to that part of the country, in consequence of the peculiar nature of the property on which the revenues of these bishoprics depended, inasmuch as it would abstract from that part of the country a species of property which, if possible, ought to be of local expenditure. On these grounds he was sure that there was not one of their Lordships but would feel that, except under the pressure of necessity, these two ancient bishoprics ought not to be consolidated by the act which it was proposed to repeal. Their Lordships who had addressed the House, and the noble Duke, had stated, that there was a case of urgent necessity to build up the Church in that most populous district of our island, where in late years, accumulated millions (he might say) had grown up in a manner never before heard of. There was a necessity to provide, if possible, means by which the Church might be built up as the population grew, and that it might have its full developement and its complete organisation in those districts where its influence was most needed to contend with the mass of irreligion and vice which unhappily, circumstances had caused so much to abound. He entered so much into this subject, and felt so much the necessity that there existed for the establishment of a bishopric at Manchester, that if he believed in order to accomplish this the consolidation of these two dioceses was an indispensable measure he should feel placed in great doubt as to the vote he should give. It was because he believed that it was capable of being shown that no such necessity really existed, and that a more suitable and better arrangement could be adopted as to both these points, which had been urged as the ground of that necessity, that he should feel himself free to give his vote in the manner in which he had expressed his intention to give it. The case then was, in what manner was a bishopric to be provided for Manchester? The first point was, how the funds were to be provided. Both the noble Duke and the most rev. Prelate had stated that in order to obtain that object it was necessary to consolidate these two Welch bishoprics. The manner in which he should be disposed to look at this necessity would be as follows. There already existed a collegiate church in the town of Manchester. The proposal which the commissioners had made, and which was through this act to be carried into execution, was to raise that collegiate church into an episcopal see. This was analogous to what had taken place in the early part of the Reformation, when new sees had been founded at Oxford, Chester, Peterborough, Bristol, and other places. These sees had been endowed with the revenues of the monastic establishments which they supplanted, and this, he conceived was the natural course to adopt in the first instance on this occasion. They proposed to raise a collegiate church to the station and dignity of an episcopal see. Where ought they to look for the funds to carry that object into effect? He hardly doubted that there was one amongst their Lordships who would not readily assent that the first funds to be taken for this object, and to which they ought to look, were the funds of the collegiate church. The sum of money wanted for the endowment of the Bishopric of Manchester was 4,500*l.* a-year. The sum which it was proposed to charge on the united sees of Wales was 4,700*l.* a-year; and as the Bishopric of Manchester could not be created till the consolidation of the two Welch bishoprics, the requirement and the charge both commenced at the same moment. They might say, therefore, that the payment was only necessary on one side in order to meet the necessity on the other; therefore, if the funds for establishing the Manchester bishopric could be got elsewhere, the consolidation of the Welch bishoprics was not necessary. He held in his hand a return of the ecclesiastical commissioners of the revenues of the Collegiate Church of Manchester from 1828 to 1834; and he really thought their Lordships would be surprised, for he had been so himself, when he stated, that if this whole sum of 4,500*l.* a-year, which was required for the establishment of a Bishopric of Manchester were taken out of the revenues of the collegiate church in the same place, there would still be left for the support of the chapter, of the dean and canons of that cathedral where it would be, then, more than was sufficient to support the dean and canons of the cathedrals of Ripon, of Chester, of York, or Salisbury. The return stated, that the average income of the wardenship of Manchester was 2,502*l.* 13*s.* 6*d.* a-year, and that the average of the recepts of each of the fellows was 1,251*l.* 5*s.* 9*d.* a-year. Therefore, if they were to take from the warden, who would then be called the Dean of Manchester, 1,500*l.* a year, and from each of the fellows, who would then be called canons, 750*l.* a-year, they would have precisely the sum of 4,500*l.* which they wanted. The provision for the dean and chapter would then be 1,000*l.* a-year for the dean, and 500*l.* a year each for the canons, which was the provision fixed for the dean and canons of other cathedral churches. But if, again, it was said, that this Church being so wealthy, it was not fair to reduce the income of the dean to 1,000*l.* a-year, and that of the canons to 500*l.* a-year each, if they took from the dean 1,000*l.* a-year, and from the canons 500*l.* a-year each, they would then have a fund of 3,000*l.* a-year for the bishopric, and the dean and chapter could then be more amply endowed than the deans and chapters of St. Paul's Cathedral, of Canterbury, of Christ Church, Oxford, or of Lincoln. If this were done even, he believed there would be a ready response to make up the deficiency from that wealthy district, and not from that alone. But if that were not thought right, he held in his hand a paper which would give an answer as to this deficiency also. This was a return of the ecclesiastical commissioners of the revenues of all the more wealthy sees, and of the sums at present received, and to be hereafter received by all the less endowed districts. Deducting the surplus revenue of the richer sees, and deducting also the surplus over and above the income to be appropriated to making up the deficiency of the less wealthy sees to the amount of income to be allowed, the ultimate annual surplus would be 6,821*l.* a year from these sources; so that even when 4,700*l.* was not to be received from the union of the dioceses of St. Asaph and Bangor there would still be an ample fund. With these observations he thought he might leave altogether the subject of funds. He must, however, add one word on the subject of the funds arising from these united dioceses consisting of tithes. It was much to be lamented that the bishoprics of North Wales were so largely endowed with this species of property, and no man felt more strongly than himself the great evil of the extensive appropriation which had been permitted to take place, and the transfer of tithes from ecclesiastical to lay persons; but he presumed that it would be admitted by all those who were acquainted with the subject, that the support of a bishop in a diocese by tithes was one of the first and earliest applications of that source of income. Upon that point all writers, including Sir H. Spellman and Bishop Kennett, concurred; and, therefore, however much it was to be lamented that the sees of North Wales were so largely endowed with tithes, there was in this nothing contrary to the principle upon which the Church was founded. But when it was proposed to transfer those tithes to the bishop of another and a new-created diocese, then the public had a right to say that this was a misappropriation which excited the feelings of the public in those parts of the principality which were to be, and would be, affected by it. And here he must take the liberty of saying, that the most rev. Prelate (the Archbishop of Canterbury) had fallen into a mistake when he stated, that the ecclesiastical commissioners had power to apply these tithes in the improvement of the small vicarages in North Wales. Unless he were greatly mistaken, he believed that they had no choice or power in the matter. The charges on the bishopric of St. Asaph were already settled by act of Parliament, and they had no power to alter that disposition. There remained only one other point to which allusion had been made, and against entering on which the most rev. Prelate had rather warned their Lordships; but it was a point upon which, having been introduced to their Lordships' notice by the noble Earl, who had moved the second reading of the bill now under consideration, and being of such importance to the Church, that he must claim to be permitted to offer upon it a very few remarks. The point to which he adverted was that which the noble Earl had mentioned with reference to the seat in their Lordships' House of the new bishop when the see was created. He thought the noble Duke (the Duke of Wellington), when he spoke that evening, did not quite understand what the noble Earl had stated on that subject; but still it was a proposition not unworthy the consideration of the House. He was not unaware that the question of a seat in that House must have presented itself to the consideration of those who regarded this measure as one of great importance. Looking at the judgment of those to whom the matter was referred, he owned that great weight was to be attached to their decision. It would not be difficult to show that it would be unreasonable to object to the increase of the spiritual peers of that House by a comparison of the number of lay peers introduced. It was undisputed that since the reformation the lay peerage had been in modern times increased four-fold, not so the spiritual peers, who remained unaltered in number, notwithstanding the vast increase of population. Looking at all the circumstances of the nation and of the Church, he confessed he should not be disposed to contend for an additional seat in that House for a Bishop as a necessary condition for the creation of a new diocese. He was not indifferent to the advantages which he believed accrued to the Church and the nation from the respect shown to religion in admitting into their Lordships' House men who held the high calling to which he had the honour to belong. It constituted one of those links between the Church and State of the country which all the friends of both must be anxious to see undisturbed. It secured the presence in this House of persons who might be supposed to be best acquainted with those matters relating to ecclesiastical polity which were so frequently the subject of discussion by their Lordships; whilst at the same time it gave an opportunity of raising members of that Church to a distinguished and exalted position in the eyes of the country, to which they could not have a right by any other means to aspire. But whilst he felt the temporal station and honour which their seats in their Lordships' House entitled them to, he felt that these honours should be a help, and not an incumbrance to the Church. If the difficulty in the way of according a seat in this House were always to be an obstacle in the way of constituting a new Bishopric where it was required; if there were to be no more Bishops to attend to the spiritual welfare of the country, because it was considered inconvenient to increase the number of spiritual peers in their Lordships' House, then he would submit that the temporal honours should give way to the spiritual duties of the Church, and that they should constitute a Bishopric where it was needed, even though it was not connected with a seat in their Lordships' House. To act otherwise—to restrict the spiritual efficiency of the Church by the measure of its temporal honours, would be a subserviency to precedent, a chaining of the living to the dead, a temporising with the important responsibilities and high functions of the Church, which he, for one, could never approve of. Except for these two reasons to which he had referred, he had not heard any others tending in any degree to establish the necessity for the consolidation of these two sees; and he would, therefore, only say in conclusion, that, to obviate any objections which seemed to prevail, he fully concurred in all that had been stated by the most rev. Prelate, that it was not intended by the measure in any degree to shake the general framework of the settlement come to under the labours of the Ecclesiastical Commissioners. From their measures he considerably differed in some respects, and he hoped that the resolutions of that body were not of so stringent an authority, as not to be cabable of being revised. On all these grounds he would support the second reading of the bill.

The Bishop of *London* had derived great satisfaction from having heard the present debate, conducted with so much equanimity, so much calmness, and so much courtesy on the part of all who had addressed their Lordships this evening. It seemed to be admitted on all hands, that to establish a bishopric at Manchester was a step calculated to prove of much advantage to the Church. The effect of the bill introduced by the noble Earl, and recommended by him with so much candour and calmness as to disarm the opposition to it of all hostility—the result of this bill, if passed into a law, would be to put an end to the bishopric of Manchester; because the act for the erection of the bishopric of Manchester stated that, upon the union of the two sees of St. Asaph and Bangor, and not before, the bishopric of Manchester should be erected. Therefore, if by passing this bill Parliament declared that the bishoprics of St. Asaph and Bangor should not be united, it declared also that the proposed bishopric of Manchester should not be erected. It was true, it might yet be a point for inquiry, whether it might not be possible to erect a bishopric for Manchester by other means than those now provided for it; but, considering all that had taken place since the recommendation of the commissioners on this subject was first made—considering that it was only within the last two years that any strong expression of dissatisfaction had reached the Legislature on the subject, whilst five years had elapsed since the proposal was passed into a law—considering also that it was admitted by his right rev. Friend who had just addressed their Lordships, that the chief ground of objection to the measure arose out of the abstraction of a large portion of the tithes belonging to the bishoprics from the principality — considering all these circumstances, he thought he might be excused if he abstained from consenting to a bill, which would put an immediate extinguisher upon all that had been proposed and agreed to in this matter. His right rev. Friend, in whose general remarks he entirely concurred, had pointed out some other sources whence the bishopric of Manchester might be endowed. He agreed in the soundness of the right rev. Prelate's deductions from the calculations which he had made; indeed he (the Bishop of London) had himself thought of some such plan before. But the real fact was, that there would be no difficulty in providing funds for the endowment of the bishopric of Manchester; the real difficulty in the matter was in creating a bishopric the holder of which should not be entitled to a seat in their Lordships' House. It should be borne in mind that the principle of the scheme now proposed in respect to these bishoprics was one which had already been adopted in respect to other bishoprics, with success and general approval. The commission had recommended that the bishoprics of Gloucester and Bristol should be united; and they were united by general consent. The commission also recommended the founding of the bishopric of Ripon, and that recommendation had been carried into effect, to the general satisfaction of all persons. The founding of the bishopric of Manchester had been as unanimously recommended by the commissioners; and the question then was as to how that bishopric could be constituted. They might have recommended the creation of a suffragan bishop, or of a bishop having no seat in their Lordships' House. He agreed entirely in the propriety of not increasing considerably the number of bishops in this House. He thought that the right rev. Prelates occupying the Benches on which he sat were already sufficient in number to constitute an adequate representation of the Church in that House; he thought, that by their general conduct they had always deserved and commanded the respect of their Lordships, and he should be sorry to see the time when the leaders of any powerful party in the State should look with anxiety to commanding a great number of votes on the ecclesiastical Bench. With respect to the labours of the ecclesiastical commissioners, he thought that when the variety and difficulty of the questions brought before them were considered, they might well be excused if their judgment had not in all particulars proved infallible. It should be borne in mind, that this commission was first instituted several years ago, at a time when a feeling of political hostility to the Church existed to a considerable extent in the country; at a time too when the Church had not begun its own reform, a reform which it had since undertaken, and which he thought would do more to strengthen its position than any act since the Reformation. The novelty and difficulty of the inquiry brought before them should be considered and above all it should be borne in mind, that it was of paramount importance, that in all matters the commissioners should recommend what was practicable as well as desirable. It was considered by the commissioners desirable to increase the number of bishops; for it was plain that the number which had been sufficient for six or seven millions of people, was not sufficient for sixteen millions. But the question then came for consideration, whether they should recommend that the new bishops should have seats in Parliament or not. With respect to this point he was not prepared to say whether he agreed in all that had been urged with so much ability by his right rev. Friend who had last spoken. He apprehended, that to create certain bishops without seats in this House would lead to injurious comparisons between them and those who had seats; and, eventually, to a general inclination to dispense with the attendance of Bishops in the House of Lords. He did not apprehend, that any feeling of this sort would exist in the minds of their Lordships. For sixteen years, during which he had had the honour of a seat in this House, he had never observed any inclination on the part of any of their Lordships to dispense with the attendance of the right reverend body to which he belonged, or to treat their opinions with neglect; but he feared, that if a step of the kind suggested were carried into effect, there would grow up amongst the general body of the people some feelings of the kind he had described. Another course had been suggested to smooth over this difficulty, which was, that the additional bishop should be created, but that he should not have a seat in the House of Lords, as long as there were twenty-six bishops in that House, but that on the death of any one of them, he should succeed to the seat in that House, and that the junior bishop for the time being, should always be without a seat in the House. There were some advantages apparent in this proposal, but there was also this difficulty, that by the constitution of Parliament, the bishops sat by virtue of their baronies, and if the precedent should be introduced of a bishop who might ultimately succeed to a seat, but who did not actually hold one by virtue of his barony, how was the constitutional principle upon which bishops held their seats in this House to be maintained? This was a difficulty which, perhaps, might be got over; but whether it were got over or not, it was admitted on all hands, that it was highly desirable that a bishop should be appointed to Manchester. Now, the adoption of the bill, this evening moved by the noble Earl, would deprive them of the means of establishing this bishopric; and it was because he considered the establishment of this bishopric indispensably necessary to the spiritual welfare of the country, that he felt compelled to record his vote against this measure.

The Bishop of *Exeter* could assure their Lordships that after the able speeches which had been addressed to them this evening, he had but a very few remarks to trouble them with. He must say, that he had derived the greatest gratification from hearing the speeches which had fallen from the right rev. Prelates who had last and last but one addressed their Lordships. He was glad to hear from his right rev. Friend who had last spoken that he did not consider this question as desperate. He would go along with him in declaring that he considered the establishment of a bishop for Manchester to be absolutely indispensable, and it was because he so thought that he felt bound to vote for the second reading of the bill now before their Lordships. If the scheme which had been adopted on this subject was to be considered as a final measure, it must become obvious that Manchester could have no bishop, until both the Bishop of Bangor and the Bishop of St. Asaph had ceased to exist. He hoped that many years would elapse before such an opportunity could occur, and when he looked at his right rev. Friend near him, and considered the firmness of his constitution, he was induced to hope that it would be very many years before, under such an arrangement, as that now contemplated, the bishopric of Manchester, would be founded. He would say, then, give Manchester at once what it was proved her spiritual welfare stood in need of. It had been admitted by his right rev. Friend who had last addressed their Lordships, that there were funds in abundance for the purpose and that the only difficulty was upon the question of the bishop's holding a seat in that House. But he really thought, that the only difficulty attaching to that question, namely, the constitutional principle of bishops sitting by right of their baronies, ought not to prevent them from doing that which was proved to be essentially necessary for the good of the Church and the country. Holding, as he did, that episcopacy was necessary for the weal of the Church, he would ask, how was the Church to be made most efficient, unless by taking care, to have a sufficient number of bishops? How many bishops there ought to be was another question; he thought there should be more than there were at present. For his own part, he felt, every day of his life, the almost impossibility of adequately serving the Church in all the duties attaching to his episcopal station, and in desiring a large increase in the episcopacy, he did look for a large increase in the number of bishops sitting in that House. Did their Lordships forget that there was already a large integral portion of our episcopacy which had not seats in this House. He alluded to the bishops in Ireland, and though he thought the arrangement of their sitting in turns for a year at a time, an inconvenient one in many respects, yet he thought that some arrangement might be adopted to free the principle of episcopacy from a necessary connection with seats in that House. At all events, he thought it would be better to waive this constitutional privilege of episcopacy, where it was found to be necessary to the efficient service of the Church. With respect to North Wales, he thought it a great hardship that in order to get over a constitutional difficulty of this kind, that district should be deprived of one of its bishops. It was true that the district was not a very populous one, but it was of very wide extent, and under any circumstances, he thought that it would be an act of injustice to deprive the inhabitants of that district of any advantages which they at present enjoyed. It might with just as much reason be proposed to throw two rectories into one, for the purpose of founding an extra rectory in Lancashire, where additional churches were much wanted, as to take away the revenue of the diocese of North Wales to found a bishopric for Manchester. He considered, that this was an attempt to mitigate the distress existing in one district by committing a robbery upon another; and such being his conviction, he should vote for the second reading of the present bill, the object of which was to prevent such a step from being persisted in.

The Bishop of *St. David's* said, great excitement had prevailed in Wales upon the subject of the suppression of one of the sees, and the cause of that excitement was a very strong impression which prevailed in the minds of the people that an injustice had been done to the Church—that its interests and honour—that something precious and valuable had been sacrificed. The measure had been defended sometimes on the ground of necessity, and sometimes on the ground of expediency. Surely the first ground must now be given up; at all events, from the admission made that night, it did not now exist. There was one reason why the union of the sees was deprecated by the inhabitants of the principality of Wales. From a national spirit they were in the habit of making a distinction between English Bishops and Welch Bishops. They did not consider that they were two numerously represented in that House, and they did not wish to see the number of Welch Bishops reduced, but the great grievance complained of was, that the revenues of a poor church would be withdrawn from it in order to endow and enrich an English one—that the overflowings of Welch poverty were to be dropt down upon the riches of Manchester. He trusted that some step would be taken to satisfy the inhabitants of the principality of that subject.

The Bishop of *Lincoln* said, one of his right rev. Friends had placed the matter on the right footing. He said there was a very great necessity for the erection of a bishopric at Manchester, but that he must either forego the erection of that bishopric or assent to the union of the two sees. His right rev. Friend had had some difficulty in deciding on the alternative, and that was precisely the position in which he now stood. He certainly should take what he considered to be the strongest side of the alternative—he should adhere to the recommendation of the commissioners, and give his vote against the second reading of the bill.

The Bishop of *Exeter* ventured to submit to the noble Earl who had moved the second reading of the present bill, whether what had fallen from the right rev. commissioners and the sentiments expressed by them were not better than even a favourable vote on this question; and whether he might not withdraw the bill, and leave the question on the footing on which it was left by those right rev. Prelates.

Earl *Fitzwilliam* said, that he was not altogether satisfied with the Ecclesiastical Commission, and the right rev. Prelate the Bishop of London himself was compelled to make something like an apology for the commission. The difficulty felt by the commission was, whether they should introduce into the Episcopacy a Bishop who should not have a seat in the House. But, if they felt that the number of Bishops was not sufficient, they ought not to have been actuated by so small a consideration. Even if they had recommended a large addition to the number of Bishops, without that privilege, they would have had the support of several right rev. Prelates. It appeared to him, however, from the debate, that the measure for the union of the sees of St. Asaph and Bangor, instead of being, as he had anticipated, a measure of reform, would be an obstruction to measures of real reform. Under these circumstances he felt bound to give his vote in favour of the second reading of the bill of his noble Friend. He found that the benefits to be derived from the contemplated changes were dependent upon the lives of two right rev. Prelates, one of whom was present, and he hoped the other was likely to live as long as the right rev. Prelate who was then present, and gave promise from his appearance of a long life.

The Bishop of *Norwich* could not allow this bill to pass without expressing his opinion. He should be sorry that it should go forth to the public, that he was hostile to the continuance of bishops in Wales. So far from it, he should be desirous that these two bishops should continue, and he should be glad to see the number of the bishops generally increased, particularly in the larger dioceses where the work to be done was more than could be effectually performed by one individual; and for this reason, he should be grateful if the noble Duke at the head of the Government would allow of the appointment of another bishop in the extensive district which he (the Bishop of Norwich) had to superintend. But there was another and pressing consideration to be attended to—and here he should have thought it his duty to trouble their Lordships with some statistical accounts which he had drawn up, had he not been anticipated by the most rev. Prelate (the Archbishop of Canterbury). He would, however, just refer them to the number of benefices in a certain number of dioceses in support of his views, thus—Lincoln contained 1072; Norwich 897; Chester about 700; York 690; Lichfield 491; St. David's 454; while the joint sees of St. Asaph and Bangor contained only 258. That is not much more than half the number in St. David's where there was only one bishop, and about one quarter only of the number in the diocese of Lincoln. When it was therefore borne in mind, that the dioceses of St. Asaph and Bangor comprised but 258 benefices, and that the district proposed for the diocese of Manchester contained 1,340,000 souls, it was hardly possible to hesitate in preferring the interests of the latter. Anxious though he was to preserve to both the Welch sees their bishops, provided it could be secured without endangering more momentous interests. Before he sat down, he would take the liberty of turning their Lordships' attention to a singular argument urged by a writer of whose name he had not the slightest knowledge, and on whose opinion he might therefore animadvert, without any supposed feelings of a personal nature, for the retention of two bishops in North Wales. This writer, he begged to observe, professed himself to be a staunch friend to the Church, and vented his disapprobation of the conduct of the ecclesiastical commissioners in no measured terms, asserting that—

> "His late Majesty was pleased, in an evil hour, to issue a commission to certain persons lay, as well as ecclesiastic, to advise him respecting certain alterations in the spiritual state of the kingdom, which the commissioners undertook to do, to the satisfaction, as it turned out, of none but those whose enmity to the Church was notorious."

That the prelates in that day quailed beneath the popular cry. That these alarming intermeddlings with the episcopal seats and diversion of the revenues of the cathedral churches could be justified only upon the principles of the great rebellion, that the union of these two sees might be looked upon as a deed of sacrilege—that the division of a diocese against the will of the bishop was a robbery upon him, and such violent attacks upon the unity of the Church were of the highest sin. After such remarks, the professed friend of the Church went on to vindicate the necessity for the two sees, by alleging the disreputable character of the clergy, asserting that the increase of sects in that country (North Wales) was beyond the imagination of those who had never seen it, that the Church was literally desolate, that the clergy required a careful and watchful superintendence,—that being cut off from many of the advantages which their more favoured brethren in England possessed, they were the more ready to fall into habits of indolence or of disobedience. That discipline was almost disused there, and that habits of life that would and did shut a man out from worldly society, were not so rare in that country as they ought to be, and that, in consequence, these clergy required most active episcopal superintendence. Now, he (the Bishop of Norwich) was prepared to say, that whatever their conduct might have been in the lamentable state of apathy in which the Church had for a season allowed to creep over and cripple its exertions, such charges were, at present, in great measure, libellous, and he would appeal to his right rev. Friend (the Bishop of Bangor), whether a change had not taken place. He could speak from good authority, that they were following the example of the other clergy of England, and were greatly advancing in spirituality and devotion, and fully participated in the revival going forward in the Church, sincerely desirous of upholding alike the efficiency and the honour of their order, the estimation and dignity of the Church, and the real welfare of the country. Fully alive, then, though he was, to the importance of preserving as close as possible a juxta-position and connexion between the dioceses and their clergy, he was compelled by a sense of duty to an enormous and unprovided population to adhere to the existing arrangement.

Lord *Lyttleton* said, that after the gratifying speeches he had heard from right rev. Prelates, he felt satisfied that the proposed union could not take place; and he doubted not that their Lordships felt every desire to avoid it. There was no force in the objections urged against entertaining the present proposal, as, for instance, that the surrender of the Bishopric of Manchester was involved in adopting it, or the analogies suggested between the present and such cases as that of Bristol and Gloucester. As little ground did there appear to be for the apprehensions hinted, rather obscurely, about disturbing existing arrangements, the fact being that existing arrangements were only prospective, and as they had effected as yet no alteration, a change of them as regarded the present case would only be a return to the existing state of things. The question, then, resolved itself really into one of the simple merits of the case—a balance of the alleged convenience of the union with the positive evils of that measure; and upon this point he did not think there could be any doubt. No one had attempted to deny the great evil of the union; and as it was also generally admitted that the question of the increase of the number of bishops must be separately, seriously, and speedily considered, there was no counterbalancing benefit at all to be attained by the adoption of the measure. While every class of men (including the clergy) were rapidly increasing with the augmentation of population, and while every order, every rank was perpetually and proportionately increased, it was utterly impossible that the important, the essential order of episcopacy, should remain long in its present position. There was, therefore, no evil to be avoided—no advantage to be gained, and, great mischief, it was admitted, would be produced by an adherence to the present measure.

The Marquess of *Salisbury* expressed his opinion, that after the measure providing for the Manchester district had been permitted to rest so long—[The Duke of *Wellington*: "And has been acted upon by order in Council!"]—it would not be expedient to alter it without a proper substituted provision for so immense a population as that the interests of which were at stake. Till that object were answered—and gladly should he find it so—he must adhere to the existing arrangement; and he hoped the present proposal would be withdrawn.

The Bishop of *London*, in explanation, said, he should wish to correct the common error, that the first commission existed as a deliberative body, whereas it had been superseded by the existing commission, established for the purpose of executing the measures recommended by the former one, and sanctioned by Act of Parliament. He should be happy to find any means of reconciling, unobjectionably, the two great objects in view.

The Earl of *Powis* said, I feel considerable difficulty in deciding what course is the most advisable for me to take under the appeal made to me, unaccustomed as I am to have such responsibilities thrown upon me, and knowing that a difference of opinion prevails as to whether it is or is not well now to go to a division. Under ordinary circumstances I should prefer to follow the same straightforward course on a public question which I should in private concerns, and, as we are all prepared for it, conclude my motion by going to a division. But after the suggestions of the right rev. Prelate and the noble Marquess (Marquess of Salisbury), and the universal feeling among your Lordships in favour of the early establishment of a Bishopric of Manchester, I think it will be a prudent course for me, with your Lordships' permission, to withdraw the bill for the present, reserving to myself the power of again bringing the subject to your Lordships' notice, if satisfactory measures are not adopted in respect of the bishopric of Manchester and the bishoprics of St. Asaph and of Bangor.

The Duke of *Wellington* had no objection to his noble Friend's motion being withdrawn. When his noble Friend brought in a bill another time, he would recommend him, in the first instance, to have the Queen's consent to have the subject taken into consideration.

Amendment and motion withdrawn.

The House adjourned at a quarter past twelve o'clock.

HOUSE OF COMMONS,

Tuesday, May 23, 1843.

MINUTES.] BILLS. *Public.*—1°. Queen's Bench Prison; Church Endowment.

3°. and passed:—Millbank Prison.

Private.—1°. Watson's Divorce.

2°. Londonderry Bridge.

Reported.—Bury, etc. Navigation, and Llanelly Harbour, (No 2); Plymouth, etc. Roads, Carriages, and Boats Regulation; Oxnam's Estate; Scarborough Harbour; Mildenhall Drainage; Belfast and Cavehill Railway; Great Bromley Inclosure.

3°. and passed:—Caswall's Disability Removal; Edinburgh and Glasgow Union Canal.

PETITIONS PRESENTED. By Messrs. Hayter, Thornely, Trelawney, Strutt, Gisborne, J. J. Bodkin, Dickinson, R. Yorke, Busfeild, Brotherton, M. Philips, Barnard, Blewitt, Pendarves, Hume, B. Wood, Villiers, W. Ellis, Christopher, Gill, T. Duncombe, Cowper, Ellice, Cobden, Ross, J. Parker, Gore, E. Buller, and F. Maule, Sirs G. Stanton, R. Howard, J. Duke, J. Trollope, R. Inglis, G. Strickland, Lords Castlereagh, Courtney, H. Vane, and Ebrington, Dr. Bowring, Col. G. Langton, Captain Berkeley, from an immense number of places, against, and by Lords Ashley and Courtenay, from Manchester, and Devonport, in favour of the Factories Bill.—From Preston and other places, for further Limiting the Hours of Labour in Factories.—By Mr. S. Crawford, from Rochdale, for altering the Ecclesiastical Courts Bill.—By Mr. R. Palmer, from Berkshire, against, and by Messrs. Villiers and Cobden, from St.

George's, (Middlesex), Reading, and Horsham, for the Repeal of the Corn-laws.—By Mr. S. O'Brien, from Limerick, Mr. French, and Lord Castlereagh, and Mr. J. O'Brien, from three other places, against the Irish Poor-law.—By General Lygon, from Kidderminster, for Carrying out Rowland Hill's Plan of Post Office Reform.—From Epworth, for amending the Bankruptcy Act.—From Hacconby and Clare, against the Canada Corn Bill.—From Tickhill, in favour of Infant Schools.—From Inch and two other places, in favour of the Church Education Society's Schools.—From Dorsetshire, against the Union of the Sees of St. Asaph and Bangor.—From a number of places in Ireland, against transferring the Mail Coach Contract to Scotland.—From Kirkheaton and Mirfield, against the Repeal of the Mines, etc. Act.—From Llandudno, in favour of the Waste Land Allotment Bill.—From Cork, against the Municipal Corporations (Ireland) Bill.—From St. Margaret's and St. John's (Westminster), in Favour of the Health of Towns Bill.—From Plymouth, against the Turnpike Roads Bill.—From Liverpool, for giving Employment and Education to all British Subjects deprived of their Work by Machinery.

CANADIAN WHEAT AND FLOUR.] Mr. *Hume* wished to call the attention of the House to a circumstance which occurred relating to the resolutions as to Canada corn on which the House had decided last night. In the resolutions as they had been agreed to last night, were the words, "duties imposed upon wheat and wheat flour;" but in the same resolution as published in the votes of to-day were interpolated the words, "the produce of." Now, it appeared to him that these words limited the concession to flour from corn grown in Canada, but that was not the sense in which he had voted for the resolution. He hoped the noble Lord would give some explanation of the circumstance.

Lord *Stanley* was sorry that he and his hon. Friends had obtained the benefit of the vote of the hon. Member—[Mr. *Hume*: "And my speech, too."]—and the hon. Member's speech, which he did not mean to undervalue, under any misapprehension, but if the hon. Member really voted under any such misapprehension, he would have an opportunity of correcting it at a future stage of the proceedings on the resolution; but, in fact, the alteration of which the hon. Member complained was merely verbal, and made no change in the principle of the measure. It had been asked six times over since the subject was first introduced, whether any distinction was to be made between flour the produce of wheat grown in Canada and flour the produce of wheat grown in the United States? and the answer was that there was to be none; and that no change was to be made in the law respecting wheat and flour brought here from America. Flour the produce of American wheat ground in Canada was, he repeated, to be considered as if it had been grown in Canada.

BUBBLE COMPANIES — MERCHANT SEAMEN'S FUND.] Mr. *Labouchere* wished to know from the right hon. Gentleman opposite (Mr. Gladstone) what was the particular course he intended to pursue with respect to bubble companies? He should also like to know whether Government intended to adopt any measure with respect to the mal-administration of the merchant seamen's fund?

Mr. *Gladstone* intended to revive the select committee of 1841, relating to such companies. The subject to which the second question referred was one involving very complicated details, many of which were already under consideration. As to the course which it might be advisable to adopt, he was unwilling at present to pledge himself to any particular measure,

DANISH CLAIMS.] Mr. *Hawes:* Sir, when I recollect how often the subject of the Danish claims has been brought under the consideration of the House in the interval from 1808 to the present time, and how often it has been discussed by many of its most distinguished Members, I own I wish it had fallen to the lot of some one, whose learning and authority would give weight to his argument in advocating these just claims, again to solicit the attention of the House to the subject; but, Sir, being requested by those who are deeply interested in the question to bring it once more before the House, and believing as I do that these claims are founded in justice, I have yielded to their wish. Sir, there are two points of view in which I shall regard this subject. First of all, I shall review the proceedings of the House with regard to these claims; and next, I shall briefly allude to the peculiar circumstances of the case, and the principles of justice and of equity upon which, without any reference to the proceedings of the House, I believe these claims to be founded. Sir, I might rest my case upon the proceedings of the House alone, but if I did it would restrain me from urging those claims of justice, on which it might be said it ought to rest; and though I cannot therefore avoid reopening the whole case, yet it has but so recently been powerfully argued as to demand but a brief recapitulation of the principal points involved in the discussion. Sir, during the late war with France, in 1807, it is matter of history, the English Government, apprehending from the conduct and policy of France, of which it had secret intelligence that the Danish fleet would be pressed into its service, and used against us, the more effectually to maintain the blockade of the Continent against our commerce, determined to anticipate the designs of France, and take possession of the fleet. This act of course led ultimately to a war between England and Denmark; and previously to the formal declaration of which, which was delayed for political objects, ships, and property, belonging to the subjects of the two countries, were reciprocally seized and confiscated. Out of these acts arise the claims of certain British merchants for compensation. During a period of five-and-thirty years their claims have been urged on the attention of the Government, but it was only in 1834 they were successfully brought under the consideration of the House of Commons. In that year they were brought before the House by my hon. Friend the Member for Sheffield. On that occasion, the House, by a general concurrence of opinion in their fairness and justice, induced the Chancellor of the Exchequer of that day to yield to inquiry. And in consequence of the motion of my hon. Friend, to which I have referred, a commission was appointed to inquire into the nature and extent of the claims. The Commissioners so appointed divided the claimants into three distinct classes; those three classes were these; the first, consisting of the owners of book debts confiscated; the second, of the owners of goods seized on shore; and the third, consisting of the owners of ships and cargoes afloat. The Treasury left the question to Parliament, to decide whether any or all these claims were to be admitted or not; and I beg to remark, that the Treasury, by consenting to the inquiry, adopted at least the opinion of the House in favour of the general principles of equity on which the claims were contended for by the Member for Sheffield. In 1836 Parliament sanctioned the payment, and the Treasury paid the claimants comprised within the two first classes, but refused to pay those of the third class, consisting of the owners of ships and cargoes afloat. The refusal to pay this class was grounded on the opinion given by the law officers of the Crown, that all ships and cargoes, whether in port or on the high seas, might be seized and confiscated, though the two, the Danish and English Governments were not formally at war. At the present moment I do not mean to raise any question with regard to that decision I am now simply recalling the several decisions the House has come to from time to time when these claims have been brought under consideration. But notwithstanding the opinions so said to be given by the law officers of the Crown, in the year 1838 these claims were again brought under the notice of Parliament, and on that occasion the House, by a majority of thirty-four, authorized the Government to pay this third class. The Treasury determined not to give effect to the opinion of the House, and therefore while it yielded to a further inquiry called for by the House, it restrained the Commissioners from coming to any judicial decision. All, therefore, the Commissioners could do was to make the inquiry, but without coming to a judicial decision. This not being satisfactory to those who thought the demands of the claimants were just, in 1839 the question was again brought before the House, and a motion carried that the Commissioners should be called upon to adjudicate upon the claims sent in. The Commissioners then embodied their decision in a Report dated May 12, 1840, in which they stated, as the result of the whole investigation, that there were 116 claims, amounting, in all, to the sum of 225,000*l.* Notwithstanding these repeated decisions of the House of Commons—decisions come to certainly after considerable discussion, in which some of the ablest Men in Parliament delivered their opinions upon the subject, the Treasury still declined to ask the House for a vote in liquidation of them; and, accordingly, in 1841, another motion was made and carried for a committee of the whole House to address the Crown, and give an assurance to provide the sum necessary to meet the claims ascertained to be due by the commissioners. Still the Government determined to resist, and nothing was done in consequence of that motion. In June 1841, however, Mr. Cresswell, then Member for Liverpool, and since raised to the Bench, whose name alone gives weight to the cause of the claimants, and strengthened by which I venture to follow him, again successfully brought the subject under the consideration of the House, expressing a strong opinion in favour of them, and arguing in support of them not only on legal but on grounds of general policy and justice. He was opposed on that occasion by my hon. and learned Friend near me, the Member for Worcester (Sir T. Wilde) then Solicitor-general. I have now brought the House down to the last motion made on this subject; and I have shown that, by a succession of decisions, the House has repeatedly assented to the justice of the grounds on which these claims are supported. I shall just mention the various majorities by which the motions on this subject were carried in this House. The first majority amounted to 34, the next to 62, the third to 31, and the fourth and most important motion, recognising the third class of claims, was carried by a majority of 11. Having thus shown that I have the opinion of the House of Commons in my favour, I wish to say one word upon the justice and the special circumstances of the case. It has been said in previous debates that the payment of these claims involved the important question of the justice or injustice of the expedition to Copenhagen. But I raise no such question. It is not necessary that I should do so. The question, however, that I do raise is this:—Whether, should it be the interest of this country to pursue a certain line of policy for the general safety of the empire, demanding great secrecy and great caution in order to ensure success—whether, should that be the case, it would not be a great injustice to make British merchants, and especially that class of merchants most likely to suffer in such a case—namely, the shipowners and parties connected with the foreign trade; —whether it would not be altogether unjustifiable to make that class only bear the consequences of that course of policy which, under special circumstances, the Government thought it advisable to adopt? a course of policy in this case be it remembered quite without a parallel, and unlike every other act committed during the period of our long and arduous conflict with France. I know it has been urged, and urged very strongly by the noble Lord, the Member for the City of London, that this injury to our merchants and shipowners was an unavoidable injury, in the ordinary course of war. But that I distinctly deny. It was not under the ordinary circumstances of war that these losses were incurred. War did not formally commence till a period after the seizure of the ships in question, and I believe I may safely say, that no precedent can be quoted of hostilities being commenced or having risen under similar circumstances. There is no precedent of the kind. I find no trace of an allusion to any parallel case in the course of the previous debates upon the subject; and I am, therefore, entitled to consider this as a wholly special case, not likely to be quoted hereafter, and not likely to lead to other claims upon the Government. It is a case so distinct in all the circumstances accompanying it, that if the House accede to my proposition there can be no ground for the apprehensions of the right hon. Gentleman the Chancellor of the Exchequer, that future claims will arise in consequence of yielding to a claim of justice in this case. I think I am quite entitled to take this view of the case, even from what has fallen on a former occasion from my hon. and learned Friend the Member for Worcester. My hon. and learned Friend has in fact shown that this is a special and peculiar case, both as to the principle of the claims, and therefore as to the consequences which would follow their acknowledgement. My hon. and learned Friend has asked whether the seizure of the goods of British merchants in a time of war, would involve a claim for compensation? I admit that it might not. But that is not the case. The policy pursued in this instance was a policy of a peculiar character, necessarily involving perfect secrecy, which deprived our merchants of all the ordinary means of protecting their interests. My hon. and learned Friend stated on a former occasion, that the Government had obtained secret information that it was intended that the Danish fleet should be used against this country, that there was a secret article in the treaty of Tilsit to that effect, and that the Government having received information of it, had anticipated and defeated the project. But then a Government acting in anticipation of the presumed arrangements of a treaty for national interests, let it be admitted, on that account, is surely under stronger obligations generously to consider the peculiar interests of the owners of goods and ships afloat. Such was the argument of my hon. and learned Friend, and without combating his argument, I rest my case upon the special circumstances attending it, as admitted by him. With the policy of that anticipation of the secret article of the treaty of Tilsit I do not quarrel—with the policy where the interests of the country were concerned, of maintaining perfect secrecy, and acting with promptitude and vigour, I do not quarrel; but I do say, that the merchants were deprived of all the ordinary forewarnings of hostilities, and that their claims are entitled to a more favourable consideration, because it was utterly impossible that they could have exercised that caution and vigilance which, on ordinary occasions, they are bound to exercise to guard against losses of the kind in question. Therefore, upon my hon. Friend's own statement, the Government acted upon secret information, in anticipation of something which they thought might happen; and if so, that has invested this case with a peculiar character, and has given to these merchants a claim, in my opinion, to compensation from the country, which is novel and special, and such a claim as can hardly ever arise again. It must also be recollected that it was strongly argued by my hon. and learned Friend that the known fact of the fleet having been fitted out, and having arrived on the coast of Denmark, ought to have been a warning to British subjects. Now, Sir, I have been looking over the former debates, and I find it stated that the fleet was not sent out for the purpose of immediate hostilities, but to aid in carrying on negotiations; and the presence of the fleet was made the groundwork of negotiations—negotiations begun, and renewed even after the attack on Copenhagen, and the very first proclamation of the British admiral, which first threw light upon the object of the expedition expressly declared so. I find Mr. Canning stating that the declaration of war was actually delayed in the hope that negotiations might even after that event be successfully renewed. Now, if that were the case, I think it anything but a fair argument on the part of my hon. and learned Friend to say, that British merchants ought to have taken warning from the fitting out of the fleet. The statement of Mr. Canning entitles these claimants to great consideration. It was also mentioned during the late debate, that all these claims had occurred after the 16th of August, 1807, when a proclamation had been issued by the Danish government, which was tantamount to a declaration of war, but that proclamation was never so considered; and this is proved by the proceedings in the case, of the ship Orion, taken the 10th of October, which was made the subject of litigation in the Admiralty Court, and in which the Court decided that the seizure had taken place prior to the declaration of hostilities. I take that decision of the Court as an authority on that subject greater than the statement of the hon. and learned Gentleman. My hon. and learned Friend takes the 16th of August as the date of a formal and official declaration of war. But the fact is not so. I find, only on the 4th of November, three months after a formal declaration of war against Denmark, on the part of England. In fact, the Danish proclamation, dated Gluckstadt, 16th of August, was not a declaration of war, because negotiations were not broken off; and the Danish declaration of war was not issued until as late as the 24th of December. Now, Sir, I think, therefore, I am free to say that I have shown there are very special circumstances in the case, that compensation to these claimants is not likely to be quoted as a precedent; and if then, in addition, I show that my cause is just—and I have a right to assume that it is from the frequent decisions of this House—if I show that, and further that it is a special case, I overcome a great portion of the objections which the present Chancellor of the Exchequer has taken, on more occasions than one, to the settlement of these claims. It has been said, however, that the claimants have been guilty of laches, and thereby have forfeited their claim to the attention of the House. That, however, is an unfounded statement. There was a memorial presented to the Treasury in 1808, another in 1809, to which Mr. Wilberforce was a party; there were also memorials in 1810, in 1818, and in 1820. It is true, that from 1825 to 1834, there does not appear to have been any proceedings instituted on the subject, either with respect to the Treasury or the House of Commons,—perhaps the important events, and the frequent changes in the administration during those years, may account for this. I trust, however, in deciding this question to-day, that the House will keep in mind the large amount of money that came into the possession of the British Government—1,100,000*l.*—by the confiscation of Danish property. That property ought to have been held as a trust fund, out of which the claims of this nature might be paid were to be liquidated,—and it was at one time so considered, inasmuch as in 1810, Mr. Perceval stated that the confiscated Danish property was a fund out of which British merchants might have their just claims satisfied. And in another point of view it appears to me this fund is justly liable to pay these claims. I think I have shown that this seizure did not take place during a time of war, and I do not know to what document or what date the hon. Gentleman opposite, who dissents from me, refers, when he says that there was a prior declaration of war. I contend that the declaration which has been said to be a declaration of war is no such declaration. If, therefore, these seizures took place before the formal declaration of war,—and that they did so Mr. Canning is an unimpeacable evidence,—then I say, they are to be looked upon in the light of reprisals. As we raised a large fund by the seizure of Danish property, I think our own merchants have a fair right to consider a fund obtained by acts of reprisal on Danish property, a fund out of which their claims arising out of the seizure of English ships and cargoes ought to be paid. But I should not presume to urge this argument upon the House so confidently as I do, were I not supported in it by others who have preceded me, in comparison with whose opinions my own must be of very little value. I can, however, refer to an opinion of the greatest weight concurring with the views which I now take the liberty to state on this subject,—I mean that of the hon. and learned Gentleman the Solicitor-general opposite. I find the hon. and learned Gentleman the Solicitor-general said, in 1836, in an opinion upon a case submitted to him,

> "It appears to me that the claimants for losses by the seizure of their ships and cargoes make out a very strong case for the equitable consideration of the Government."

Now, this, the equity and justice of the case, is the main ground on which I rely. I do not rely upon technicalities. I rest upon the broad ground of justice. Nor does the hon. and learned Gentleman stand alone in his opinion. He speaks in conjunction with another eminent lawyer,—a lawyer peculiarly qualified to pronounce an opinion on a case of this nature, on account of his great acquaintance with international law. Dr. Lushington, the present judge of the High Court of Admiralty, the very highest authority in this country upon this subject, and in a branch of law to which this question peculiarly belongs, gave a similar opinion, and said, in 1835, that

> "The retention of Danish property, without compensating the British sufferers, is not consistent with my notions of justice. The ground upon which the claimants rest is that it is a great hardship for British subjects to lose their property by Acts of the Crown, when those very Acts of the Crown brought to the country a much greater property than it lost."

Dr. Lushington said, in fact, that the British Crown, having obtained by this act—whether rightly or wrongly, I do not now inquire—more property than the subjects of the Crown had lost, the subjects of the Crown might fairly look to that fund or compensation. I hope, therefore, the Solicitor-general will not now oppose a motion which in 1836 he thought fairly entitled to the equitable consideration of the House. Now, Sir, before I conclude my case, I must refer the House to one or two of the names of Members who voted for those claims. A very large number of the Gentlemen opposite voted for their liquidation, and it will not now, I am sure, be considered a party question. It is one which I trust will be decided on equitable considerations, and without reference to parties. On former occasions such was the intermingling of parties, that it was impossible for any one to know beforehand what the decision of the House would be from the party in power. So I trust it will be on the present occasion, and I hope that hon. Gentlemen opposite will recollect the votes they gave on former occasions, and will not alter their opinions from the imperfect manner in which I have stated the case. There were seventy-five members who voted for the liquidation of these claims, and amongst them I find the name of the hon. and learned Member for Woodstock, whom I specially name, because his vote was given after the question had been legally argued. I also find the name of Mr. Freshfield, also a lawyer of great experience, and if I mention these only, it is because they as lawyers were called upon to vote, and did vote upon a question which involved legal considerations of great importance. Sir, I believe if the House now decides in conformity with its previous decisions, that the right hon. Baronet, the First Lord of the Treasury, will not interpose his authority between the claimants and the concession of their just demands. I do not think, after the repeated decisions of the House of Commons, that it was a justifiable mode of opposing the votes of the House, to offer that passive resistance which has been issued by the Treasury. The Government found itself destitute of support in the House of Commons, beaten in argument, and reduced to the necessity of giving only a passive resistance to the votes of this House. The House of Commons having on many occasions addressed the Crown in favour of these claims, promising to make good any sum that might be required to pay them, I believe it is almost without precedent that, having expressed that readiness, it should not have been called on by the Government to fulfil its expressed intentions. I do not believe the right hon. Gentleman will be able to show me a precedent that can justify the conduct of the Government. I will not refer to the case of Mr. Palmer, in 1807, because though in that case the House voted that certain claims ought to be liquidated; and though the Treasury interposed its resistance, yet there was a distinct Act of Parliament, which gave Mr. Palmer the right to what he claimed, and under which I believe it was ultimately settled. We have no such Act, and therefore I do not insist upon that case. I have, Sir, laid the whole statement, as fairly as I could, before the House, and I now leave the question to its sense of justice. I ask it to bear in mind that no precedent can be found adverse to the settlement of these claims after the repeated decisions of the House. I ask it to keep in mind the opinions of the Solicitor-general, of the judge of the Court of Admiralty, and of those lawyers who took part in the debate, and especially of the arguments of Mr. Justice Cresswell. I ask the House, keeping these things in mind, to give its support to the motion, with which I shall now conclude,—

> "That an humble Address be presented to her Majesty, praying that her Majesty will be graciously pleased to take into consideration the report of the Commissioners for the investigation of Danish claims, dated 12th May, 1840, to whom it was referred, to examine and adjudicate upon the claims of certain British subjects, (or losses sustained by the seizure and confiscation of their ships and cargoes by the government of Denmark) in the year 1807, and that her Majesty will be pleased to advance to such claimants the amount of their respective losses, as ascertained by the said Commissioners, and assuring her Majesty that this House, in pursuance of frequent former decisions upon these claims, will make good the same."

The *Speaker* said, that by a standing Order of the House, no Address could be voted to her Majesty for a grant of money except in a committee of the whole House; and that the House could not resolve itself into a committee of the whole House on a motion by an hon. Member, without that hon. Member giving notice of his motion previously.

Mr. *Hutt* said that the late Chancellor of the Exchequr had, when the subject was previously before the House, stated that in consequence of the repeated decisions of the House of Commons in favour of the claim of Mr. Palmer, he did not think it proper or becoming to come forward and stand between the feelings of the House and the subject, and that although he was personally opposed to the claims, he thought it his duty to signify his assent to the motion. Now, as the present case was precisely similar to that one, he could not believe that the right hon. Gentleman opposite (the Chancellor of the Exchequer) would wish to throw over the question on a mere point of technicality. That precedent being so completely in point, he trusted the right hon. Gentleman opposite would come forward and imitate the example of his predecessor.

The *Chancellor of the Exchequer* said, that he thought it of the utmost importance that the House should strictly adhere to the rules laid down for the conduct of its proceedings. The hon. Gentleman was clearly acting in violation of those rules. He was ready to discuss the question, but he felt so strongly the necessity of supporting the rules of the House that he would not take any other course than that which he conceived in accordance with those rules.

Colonel *Sibthorp* had come down upon that, as upon all former occasions, to support the claims of men who had, he considered, been refused common justice. He should much regret that the hon. Member should be prevented upon a point of form from taking the sense of the House upon the subject he had brought under their consideration. He had no hesitation in saying that it was a disgrace to the Government to have so long refused a claim admitted by the House.

Sir *R. Peel* said, that his experience with respect to grants of money made by the House of Commons, convinced him that it was advisable strictly to adhere to the forms of the House upon such subjects. The hon. Gentleman had not adduced any instance of a departure on the part of the House from the course usually adopted with respect to money grants, and which had been laid down by the Speaker. The hon. Gentleman might give a notice for another day of a particular mode in which the grant should be made. That was the course which had been adopted by Mr. Cresswell, and to which he thought the hon. Gentleman ought to conform. He should repeat, that his experience convinced him that it would be wise, in all cases of money grants, to adhere to the strict and technical rules of the House.

Motion withdrawn.

KNUTSFORD GAOL. Mr. *T. Duncombe* said, that in rising to call the attention of the House to the motion of which he had given notice, he might be allowed to explain how one so totally unconnected with the county of Chester, came to be mixed up in a question apparently of a local character. When, on the 22d of February, he rose to call the attention of the House to the conduct of the Lord Chief Baron (Lord Abinger), at the special commission, held last October, while he (Mr. T. Duncombe) found fault with some of the sentences passed by that noble and learned Lord, he said that the severity, of these sentences was much aggravated by the severity, with which the prisoners were treated in the gaol at Knutsford. On the following day the hon. Member for Cheshire asked why he had not given him notice of his intention to allude to the discipline enforced at Knutsford, and at the same time the hon. Member said that he had been altogether misinformed on the subject. He immediately wrote to his informant to say that his statements were likely to be disputed. The statements which he had made relative to the treatment of the prisoners at Knutsford, amounted to this; that the Chartist prisoners complained that on their arrival at the prison, they had been addressed in very violent and insolent language by the gaoler; secondly, that some of those prisoners were put upon the treadmill out of their turn for the amusement of some ladies and gentlemen who visited the prison; thirdly, that the overseer of those prisoners was himself a felon, and that these prisoners were thus compelled to associate with a felon; and fourthly, that their food was insufficient both in quantity and quality. On the following Monday, the hon. Member for Cheshire gave a most unqualified contradiction to the statement which he had made on the authority of his informant, a gentleman resident at Stockport, and the testimony of one of the prisoners was produced in support of the contradiction. He immediately observed that such contradictions coming from prisoners, under the control of the magistrates, ought to be received with extreme caution, and therefore he begged leave to adhere to the statement he had originally made. After that contradiction, he might fairly complain that an attempt had been made to mislead the House. If he had himself given way on that occasion, perhaps not one of the iniquities connected with this prison would ever have come to light. In consequence, however, of his perseverance in adhering to his statement, the right hon. Baronet opposite announced his intention to send down an inspector to investigate the circumstances connected with the case. Captain Williams accordingly proceeded to institute an investigation into the case, and among other witnesses, examined the chaplain of the prison; and if hon. Gentlemen would take the trouble to read the report of Captain Williams, they would find that every statement made by him was fully proved and substantiated by that report. With respect to the charge against the governor of having used to the prisoners violent and insulting language, the inspector said that, upon the concurrent testimony of the prisoners themselves, corroborated in a considerable degree by the evidence of Mr. Tracy, an officer of the county gaol, it appeared that the words addressed to prisoners by the governor, on their arrival, were to the following effect:—

> "Now, you special commission men, you were sent here to be punished, and you shall be punished. The discipline of this prison is so rigorously enforced, and the laws so strict, that if I have to punish any of you, it will have

such an effect upon your constitutions, that even under the most favourable circumstances, the strongest man among you won't have a constitution that I would give twopence for when your sentence shall expire."

Mr. Tracy described this as "harsh language," but he believed the House would agree with him that it was a most brutal speech. The report afterwards proceeded:

"The chaplain also deposes, that on the 5th of December the governor met him in the prison yard, and apparently under considerable irritation, addressed him in these words: 'Fairhurst, and some of these Chartists, have been complaining about their beef;' and further said, 'Damn these Chartists, I'll give them their belly-full before I have done with them.'"

It appeared, when this speech was made, no third person was present. [Mr. *Egerton* "*hear*"]. From that cheer it was evident that the hon. Member intended to give credence to the testimony of the governor in preference to a man of respectability like the Rev. Chaplain of the gaol. If the governor denied the accuracy of the charge, why had he not cross-examined the chaplain on that point? In consequence of what had taken place, he had other testimony respecting the language which Mr. Burgess, the governor, was in the habit of using with respect to his prisoners. It was a letter from a tradesman of Knutsford, who was quite ready to come before a committee of the House, if a committee should be granted. The letter ran thus;—

"*Knutsford, March*, 17, 1843.

"Sir—After perusing your remarks lately made in the House of Commons relative to the House of Correction at Knutsford, I beg leave to state that Burgess, who is the head gaoler, has in the most unfeeling manner publicly boasted in the midst of a promiscuous company, in the bar of the George Inn, where he occasionally goes to pass his evenings, 'of the short time in which by his prison discipline he can break down (as he expressed himself) the constitutions of prisoners,' who unfortunately by their misdeeds placed themselves under his tender mercies; such is this man's boast, his favourite theme; no person of any respectability will in the most distant manner associate with him. He had orders from the hostess of the George Inn to take a room whenever he came there, as people who frequent the inn retire with horror from his presence on account of the merciless remarks he habitually indulges in, relative to the treatment of his prisoners."

For his part he believed Mr. Brown, and he did not believe Mr. Burgess; and he thought there would be great difficulty in finding any one out of that House to believe that Mr. Burgess did not use the words attributed to him by Mr. Brown. The report went on to say—

"It is alleged that certain of the prisoners were, on Thursday, the 20th of October, in the sessions week, placed upon the tread-wheel, out of their regular turn, for the purpose of showing it working to strangers visiting the house of correction. It appears to be customary for the grand jury at every sessions and adjourned sessions, to go through the house of correction previous to their discharge, and that they are occasionally accompanied by females; that at such times if the tread-wheel is not at work, prisoners are called out from their wards and placed upon it for a short time, to show the manner of its working. The complaint made by the prisoners of having on one occasion been placed on the wheel for such purpose in the sessions week, is I consider, just, and that the practice is at all times objectionable."

Here again the inspector fully bore him out in the charge he had made. At the General Quarter Sessions, held on the 17th of last month, the magistrates there assembled agreed to a report to the Secretary of State, in reply to the report of the inspector. In speaking of the practice of placing prisoners on the tread-wheel, for the purpose of showing its working to visitors, the report of the magistrates said—

"It appears to the court that the practice has prevailed upon the occasions of the visits of the grand jury, and, as Captain Williams alleges, on some other occasions; but, as the latter instances appear to have occurred always in the presence of a magistrate, this court considers the governor to be exonerated."

He was ready to prove that the statement that this was never done except in presence of a magistrate was false. He could prove that last summer a party went to see the prison, between four and five in the afternoon, and that some prisoners were called out for the amusement of the visitors to show the working of the wheel, and that neither a governor nor a magistrate was present. The employment of a felon as overseer was admitted. The magistrate said—

"It appears to the court that a prisoner convicted of felony has been appointed by the governor to instruct misdemeanants in the weaving, but he had no authority over them, and was never with them, unless he was called for by them to fetch materials or to instruct them. This court have given directions that such practice shall not occur for the future."

The insufficiency of food was also admitted, and thus was each of his charges fully borne out by the report of the inspector. It appeared that the magistrates called the chaplain before them on the 17th of March, and subjected him to an examination, requesting him to state what had passed between him and the inspector. The magistrates knew very well what had occurred, for many of them had been present at the examination of the chaplain by Captain Williams. It would have been better, certainly, under these circumstances, if the chaplain had answered at once, and had said, " Yes, I did say so and so; I did give this information; I was on my oath, and bound to speak the truth." He was asked why he had not informed the magistrates at the time the words were used by the governor? He said he had received orders, several years ago, to confine himself to his spiritual duties. He had, however, repeatedly entered on the journal cases of irregularity on the part of the governor, such as non-attendance at prayers, or divine service, which, according to the rules, he was bound to attend. The result of all this had been the dismissal of Mr. Brown, the chaplain. One charge brought against Mr. Brown was, that he was in the habit of corresponding with him (Mr. Duncombe). He had not been aware that there was any very serious wrong in a man's corresponding with him, but if there was, it was an offence Mr. Brown was wholly innocent of; for until he heard of his dismissal, he had never known of Mr. Brown's existence. The right hon. Baronet the Secretary of State for the Home Department, in a letter addressed to the Chairman of the General Quarter Sessions for the county of Chester had pronounced his opinion on the conduct of the Governor, in these words—

"I have the honour to transmit to you a copy of the report of the inspector of prisons for the northern district, on an inquiry into the treatment of prisoners in the Knutsford House of Correction. It is unnecessary for me to enclose a copy of the report which I received from the visiting justices soon after the termination of the inquiry, as they will doubtless already have transmitted to you a copy for the information of the magistrates; but I enclose a copy of the inspector's remarks on the latter part of that report, relating to certain particulars which were not connected with the inquiry, but which the inspector deemed necessary to bring before the attention of the visiting justices. I have to request that you will submit these several statements to the magistrates of the county, at their first general meeting in quarter sessions, and request their attention most especially to those which relate to the conduct of the governor, that they may determine whether, after what has occurred, they can, with confidence and with safety, continue him in an office of such responsibility. I forbear pointing out the various particulars which show indiscretion in the governor and inattention to his duties: but I cannot omit to mention one instance in which he appears to me to have been guilty of very great misconduct. I refer to a certain case in which, after the express directions of the surgeon, that corporal punishment should cease, he insisted that it should be continued, and it was continued accordingly. The magistrates are fully aware that if on that occasion, life had been endangered, and death had ensued, the governor must have been tried on a charge no less than of homicide. And I am persuaded the magistrates will be sensible of the great responsibility which must be incurred by them from subjecting prisoners any longer to the custody of one who could so misconduct himself."

The magistrates, however, had addressed the Secretary in these terms:—

"This court remarks, that it would be very convenient and conducive to the discipline of the prison, if the inspector would report to the visiting magistrates any misconduct in the officers, or any other matter requiring their notice, as soon as it came to his knowledge, to which the magistrates will pay immediate attention. This court concludes by saying, that after a careful investigation of the charges referred to its consideration, it is of opinion, that with the exception of the case of the boy Trainer (which has already been adjudicated upon), such charges are in themselves not of much importance, and their recurrence provided against, and are not such as to deprive the governor of the confidence which the magistrates have hitherto reposed in him, and which his general good conduct, and the discipline which he has maintained in the prison have appeared to deserve."

He would maintain again, that all his charges had been fully borne out by the inspector's report, and if the correctness of that report was doubted, that was an additional reason why this committee, for which he was about to move, ought to be granted. Among other charges against the governor was, that he had neglected to affix the rules in a proper part of the prison. This was treated as a matter of little importance, but he thought there was no part of the prison regulations of more importance to the unfortunate prisoners, to whom it was of the highest importance to know the rules by which they were governed, and the nature of the rights of which they were not deprived. It was found, that the gaoler had employed the prisoners, contrary to law, in mending his gig; the iron was said to be only worth 6*d.*, but he (Mr. T. Duncombe) believed it to be really worth 3*s.* 6*d.* But suppose it to be only worth 6*d.*, they saw men committed every day for stealing a few halfpence worth of apples or turnip-tops. Then as to the circumstances connected with the whipping of the boy, Edward Trainer, the case was said to have been adjudicated upon; but the fact was, that he had been merely reprimanded by the magistrates. There was another case in which a boy named Beacroft, had been flogged previously to his removal to Parkhurst prison; and he was flogged so carelessly, that his eye was severely injured by the thong. He understood that when a person was to be flogged in this gaol, the town crier of Knutsford was called in to inflict the punishment at the rate of 2*s.* for each person. It was often the case, that no surgeon, or assistant-surgeon, attended to witness the flogging administered, but merely an apprentice. The report of the surgeon, Mr. Deane, on the state of the gaol, prison diet, &c., stated, that since his appointment to the office, he had noticed the falling away of the men employed in labour; that his conviction was, that after an experience of fifteen years, it was impossible to keep men undergoing a long sentence of imprisonment, in ordinary health, on a reduced allowance of food, and he, therefore, recommended that the allowance should be increased. Instead, however, of the gaoler giving the prisoners an increase of food, as recommended by the surgeon, the punishment continually resorted to was a stoppage of their food. During the three months, ending the 10th of March, 1843, the stoppages of diet had been, on the average, 392 daily. [An hon. *Member:* "No; that was the number of prisoners."] Stoppage of diet was the only description of punishment resorted to, and it fell frequently on the same individual. The magistrates, however, seemed to think, that all these matters were of no consequence; they retained the gaoler, but dismissed the chaplain. If they thought the chaplain an improper person, why had they given him all favourable testimonials when applying for the chaplaincy of the Pentonville prison. In July, 1842, the magistrates spoke of the assiduous manner in which he had performed his duties as chaplain—of his upright and moral character as a clergyman and a Christian, although in their report to the Secretary of State, they said he was not entitled to their confidence, and had not been so for the last three years. The gaoler, the surgeon, the schoolmaster, the taskmaster, and the matron, all added their testimony to the exemplary conduct of the chaplain. [The hon. Member read a variety of testimonials in favour of Mr. Brown, including one signed by ten magistrates.] Mr. Brown might, indeed, be well proud of forfeiting the confidence of such magistrates. They, however, had made up their minds six weeks before to dismiss the chaplain, and they did not condescend to argue the matter with those who defended his interests, Mr. G. Wilbraham, Mr. E. Stanley, and Mr. Davenport. One of the magistrates asked, "Is this gaol to be governed by the Secretary of State or the magistrates of the county?" The Secretary of State wrote to the visiting justices, stating his regret that the governor of the gaol should have been considered fit to be continued in his place, and expressing an opinion that the conduct he had followed, should have led to his immediate dismissal. That letter, he thought, reflected great credit on the right hon. Baronet. It was a bold and true statement of the case—a bold and true censure on those for whom he might be supposed to have had some political predilection. The right hon. Baronet had proved that he was above political feeling on this important occasion, and had passed a censure on the magistrates, to which he was satisfied the whole public would respond. But now that the Secretary of State had done his duty, he maintained that it was for Parliament to do theirs. It was impossible that the question could stop where it was. The responsibility, said the right hon. Baronet, lay on the magistrates, but he maintained, that it lay on Parliament. He did not think the right hon. Baronet could carry the matter further than he had done. He might certainly have cancelled the commission, and remodelled it; but that would lay a responsibility on the right hon. Baronet, which no man had a right to impose. It was now for Parliament to interfere. He did not think they had yet probed to the bottom the iniquities and corruptions of this gaol; he believed, that still greater existed than appeared on the face of the report, and for this reason, he asked for a committee. He was prepared to prove, that within these few days, Burgess, the gaoler, had collected some of the prison officers, and told them that the magistrates were determined to stand no more of this nonsense, and that if any of the officers were found divulging anything that passed in the prison, they would be immediately dismissed. This was a speech lately made by this man, who possessed the confidance of the majority of the Cheshire magistrates. It ought not to be forgotten, that from 2,000 to 3,000 individuals passed annually through this gaol, and, therefore, the administration of it was of some importance. If nothing further were to be divulged respecting it, the inspectors of prisons would never be able to arrive at the truth. If the magistrates doubted the accuracy of the inspector's report in this instance, and thought he had misled the Secretary of State that was an additional reason for granting the committee. But at all events, he thought that Parliament would see the necessity of strengthening the hands of the Secretary of State, and granting further powers for the regulation of a system so devoid of justice and humanity, as had prevailed with reference to this prison. The hon. Member concluded by moving the following resolution:—

"That it appearing to this House that the Secretary of State for the Home Department, after inquiry made under his authority into certain circumstances connected with the discipline and management of the Knutsford House of Correction, in the county of Chester, has thought it right to advise that the governor of the said House of Correction should be removed; and it also appearing, that the magistrates, in sessions assembled, have, after an alleged careful examination, deemed the charges referred to them by the Secretary of State, with one exception, not of much importance, nor such as to deprive the governor of the confidence reposed in him, and which, as they allege, his general good conduct, and the discipline he had maintained, appeared to deserve; and, therefore, that such governor, contrary to the recommendation of the Secretary of State, has been continued in his office; and it being alledged by the rev, William Browne, in his petition presented to this House, that he has been dismissed by the magistrates, after giving evidence against the governor, before the inspector of prisons, upon the examination instituted by such inspector, under the authority of the Secretary of State; and this House considering that the due and proper management of the said gaol must be of importance to the public, and that the same must most materially depend upon the character and conduct of the governor thereof, and upon the protection being afforded to persons who may from time to time be called upon to give evidence before the inspector of prisons in respect thereof: it is resolved, that a select committee be appointed, to inquire into the couduct and management of the said House of Correction, in respect to the matters referred to in the report of the magistrates, and also into the circumstances connected with the dismissal of the rev. William Browne, the late chaplain of the said House of Correction; the said committee to report the evidence taken, and their opinion thereon, to the House."

Mr. *Tatton Egerton* said, there was the greatest anxiety on the part of the magistrates of the county to meet fairly and openly the charges of the hon. Gentleman. The hon. Gentleman had attempted to carry the House from the consideration of the real question, which was, the conduct of the chaplain of the gaol. The hon. Gentleman had said scarcely one word upon that subject, and all his arguments went to the conduct of the magistrates and the governor of the gaol. He did not appear there as the apologist of the governor. The hon. Gentleman said the governor possessed the confidence of the magistrates. He did not entirely agree with that, for the governor did not enjoy his confidence. But the magistrates did not shrink from the consideration of this subject. They might have erred in judgment as to the conduet of the governor; but the hon. Gentleman had alleged against them no one single corrupt or unworthy motive. He regretted their decision; but in justice to a very large body, consisting of thirty-four gentleman actuated by no political motives residing on the spot and accurately acquainted with the whole circumstances of the case, having minutely investigated it two or three times, he must say, with all deference, that they were better judges than that House might be what was the real state of the question. They might have been led away by a feeling of attachment to the governor from his long service, and he gave them credit for the best motives when, in the face of two letters from the Secretary of State they retained the gaolor in his office. But when the House was told so much of the errors of magistrates, he might ask was the inspector free from error? The right hon. Baronet in his letter said, the gaoler as soon as such misconduct was known should have been dismissed; but for himself, he could say, that he knew nothing of the circumstances until within the last few days. The case of the boy, mentioned by the hon. Gentleman, took place in November 1840. In January 1841 the inspector knew the circumstances connected with it? but did he consider it his duty to report it to the Secretary of State. No; and when his report came out, there was not one word said, with respect to it. But in the teeth of these very things of which he was cognizant, he reported most highly of the governor, and stated him to be worthy of the greatest confidence, and even advised the Secretary of State for the Home Department to send down persons from the Pentonville prison to be instructed under that gaoler in the best manner of performing their duty. The hon. Gentleman had alluded to the circumstances in which had originated the whole of this inquiry, but he had not quite fairly stated the matter. He (Mr. Egerton) had never denied, that strong language had been used; the only thing he denied was, the statement that the conduct of the gaoler was calculated to cause breaches of prison discipline. The hon. Gentleman would have seen that, if he had read other parts of the inspector's report. The hon. Gentleman observed, that the surgeon had complained of the rules of diet. All those rules were established by the magistrates and alluded to by the inspectors in their reports, and they must have been well known to the right hon. Gentleman opposite (Mr. F. Maule) when he was Under-Secretary of State. In every one of those rules stoppage of bread as a punishment was laid down, therefore it was not in the power of the governor to alter it. The surgeon had stated that he had to increase the diet of those persons who were confined for political offences; there were 300 prisoners there, and the surgeon said he could not recommend the magistrates to increase the whole diet—a diet approved of by successive Secretaries of State; but in every one of the cases of political offenders the diet was increased in regard to milk, cheese, and so on; but the main subject for the consideration of the House was that from which the hon. Gentleman had attempted to distract its attention—the conduct and dismissal of the chaplain, of whom the hon. Gentleman had spoken in such high terms. He was sorry to differ from the hon. Gentleman upon that head, because it was a most painful thing for for him to say anything against a person bearing a clerical character; but a greater tissue of misrepresentation and falsehood he had never seen. What was the charge which the chaplain made against a highly respectable body of magistrates? The rev. gentleman stated openly, and the hon. Gentleman had insinuated, that they were influenced by political motives, and that for political reasons alone they had dismissed him from his situation. It was not the first time he had heard the assertion that judges learned in the law or magistrates must necessarily be actuated by political feeling in the discharge of their duties when certain political offenders were concerned. The petitioner stated, that he,

> "Was warned by one of the magistrates (an entire stranger to him) that if his politics were as reported, different from those of the chairman of quarter sessions and a great majority of the magistrates, he must keep them to himself if he wished to retain his situation, for from what transpired at his appointment, no doubt the first opportunity would be taken to get rid of him."

Now, whoever that magistrate was, he had libelled the magistrates of the county of Chester. Who appointed that chaplain? Why, his hon. Friend and Colleague was one of those who appointed him. Those magistrates had increased his salary from 150*l.* to 200*l.* a year. Who moved his dismissal? The chairman of the visiting justices, a Liberal, a man strongly opposed to him (Mr. Egerton) in political principles. The visiting magistrates of the gaol unanimously came to the conclusion, that if that rev. gentleman continued, discipline and good order could not be maintained in the gaol; and one half of them were Liberal magistrates. He only wished that the hon. Gentleman had seen a letter which had been addressed to his hon. Colleague, and then he would have a different opinion of the feeling and principles of those parties. Who dismissed the chaplain? A majority of thirty-four magistrates to five, one-third of whom were persons whose politics were liberal. When the House considered all those things, he thought the statements of the prisoner would not go for much The next point in the petition was:—

"That your petitioner, according to his duty, reported the keeper's continued absence from divine service, for which he was reprimanded by the chairman of the quarter sessions, who told him that prayers were not divine service, and he must not report them as such in future. That he was desired by the chairman on this occasion (April, 1840) to confine himself solely to his spiritual duties, and not interfere; that he (the chairman) would not have an *imperium in imperio*."

That statement was perfectly false from beginning to end. The following was an extract from the minute-book, November 28, 1840:—

"The attention of the gaoler is called to the prison rule requiring his attendance at the chapel at the performance of divine service. He states to the committee that he attends service only on the Sunday, and says he makes a distinction between prayers only and divine service, and that he complies with the prison rule by attending chapel when full service, and not prayers only, is performed. The committee are of opinion that the gaoler's construction of the rule is not correct, but that he is bound in pursuance of it to attend the chapel whenever a public and general service is performed, whether that service consist of prayers only or of the full service of the Church, unless he has good cause for his absence, to be entered on the journal, and he is therefore enjoined to observe the prison rule according to the committee's construction of it."

Now that minute, it must be acknowledged, was wholly opposed to the whole letter and tenor of the rev. gentleman's statement. Again, with respect to the chairman's conduct, he would quote a minute, dated October, 1840:—

"In consequence of the chaplain having interfered in a case of the conviction of a female at the sessions, and also in the case of the sentence of a court-martial, under which a soldier was confined in the house of correction, an inquiry was directed by the quarter sessions, and the chairman was desired to reprimand the chaplain; in the course of which he told him that he ought to have reported any circumstances which might have come to his knowledge to the visiting magistrates, whose province it was to consider them and act thereon; his province was to attend to his spiritual duties. In the course of this examination it was proved that the chaplain was constantly interfering in the interior management of the gaol; so much so, that when the governor offered to punish a prisoner, he was constantly told that they would apply to the chaplain."

Now that was rather different from the statement of the rev. Gentleman. But he had omitted to state another circumstance which he stated before the inspector, and that was, that he did not consider it his duty to report because he had been desired not to report. Now, the minute of the gaol committee dated February 27th, 1841, was:—

"In consequence of the chaplain having made incorrect entries in his journal respecting the surgeon, and altering and erasing original entries in the journal submitted to and signed by the quarter sessions, he apologised to the visiting justices, and the minute on the report was read to him, and he was directed in future to report each meeting of the gaol committee on the state of the gaol, and any observations he had to make on the discipline of the gaol."

Now, how the rev. Gentleman could have the face to tell the inspector that he considered himself bound not to report, he could not understand. But to go on with the assertions of the petitioner, which he should be able to prove were perfect fallacies. The next was:—

"That your petitioner afterwards reported the keeper for employing prisoners to his own profit and to their detriment, emptying the sewers of the gaol, and in wtthdrawing thirteen prisoners, on one occasion (December 13th, 1842) from prayers, to fill carts with the ordure from behind the solitary cells, where it had been deposited and mixed; that this entry on his journal remained unnoticed by the visiting justices."

Quite the contrary was the case. What was the entry upon the rev. gentleman's journal of that very date?

"Two services at chapel at nine o'clock a. m.; present, taskmasters, warders, thirteen felons detained to fill the carts with dung from the heap behind the solitary cells. Service at half-past twelve; present, female warders and one male; thirteen felons detained from morning service present."

The magistrates did not entertain complaints of irregularities without giving an opportunity to the parties to explain themselves. Captain Williams bore them out in this, for he said:—

"I am inclined to this recommendation by observing certain entries, calculated to produce unfavourable impressions of the officers, of whom, if complaints were necessary, they should have been made at the time personally to the justices. It should be recollected, that *ex parte* statements before inquiry or adjudication may on the one hand defeat the ends of justice, and, on the other, form hereafter a very incorrect record reflecting on character."

But the petitioner further stated:—

"That the governor employed prisoners to empty the main sewer, and that its contents were deposited behind the solitary cells, and mixed up by prisoners into a large heap during the hot weather, in the month of August last. The smell was very offensive, these cells being used both for punishment and sleeping cells. That on December the 13th, 1842, thirteen felons were detained from chapel to fill dung-carts from the heap behind the solitary cells; that your petitioner had made an entry of this transaction on his journal, and no notice had been taken of this entry; that prisoners were constantly employed in cleaning at the governor's house, and that the petitioner had seen one of the governor's female servants one morning tap at the window to a felon on the opposite side of the yard, when the prisoners were going to chapel, and that he went into the governor's house, and that your petitioner sent for him to come to chapel; also that prisoners were often employed in cleaning at the houses of the subordinate officers, all contrary to the statute and gaol regulations."

The first time that one single word of that statement came before the magistrates was, that when the report was communicated in certain minutes left by Captain Williams. [An hon. *Member:* That does not make his statements false.] He left the House to judge, after what he had stated, what reliance could be placed upon the allegations of the rev. gentleman. The magistrates were anxious for the fullest investigation into the circumstances which had led to the dismissal of the chaplain. The inspector had been sent down, the chaplain was examined, and the inspector received certain memoranda, not only from the chaplain, but from some of the magistrates, so far were they from wishing to shut up inquiry. A liberal magistrate thus reported respecting the conduct of the chaplain after having examined several witnesses:—

"The chaplain visits the hospital daily; he never remains there above seven or eight minutes. He has never spoken to one of the sick on any religious subject, nor inquired of what religion they are. To a prisoner who died of a lingering disease, during the whole time he was ill the chaplain never offered any spiritual consolation till requested to do so. On Friday he reads prayers on the landing-place of the stairs, that he may be heard in all the three rooms; these prayers, with an exhortation upon a text, never last above ten minutes altogether. His visits have been more frequent to the prisoners since this inquiry has been going on."

He would ask the House now, whether they could wonder at the dismissal of the chaplain? That hon. Gentleman had stated things that were not correct. The hon. Gentleman took a very easy course of proceeding for his purpose. But why did he not produce confirmation of the statements in the petition? In pressing his motion upon the House the hon. Gentleman had turned attention to the conduct of the Government, but the real question was the conduct of the chaplain. He thought he had sufficiently proved how unfounded were the statements of the petitioner. He should oppose the motion of the hon. Gentleman.

Sir *G. Strickland* said the hon. Gentleman seemed to desire a full investigation; so did he, and the public too would expect it. The public were under great obligation to the hon. Member for Finsbury for having brought this question forward in so fearless a manner. During the ten or twelve years he had been a Member of that House, he had never lost an opportunity of defending the "great unpaid" magistrates, and sometimes when it was not at all a popular course to take. The case of Knutsford gaol was this,—that there had been gross mismanagement by the gaoler; that there had been corruption; that he had misapplied the public property, having used iron and manure that was not his own; that he had deprived the prisoners in an injudicious, if not in an illegal manner, of their quantities of food. But, after all, there was that case of punishment of the boy who was flogged in such a manner that the surgeon said it ought to be stopped, but it was not stopped. What was the statement of the surgeon? That if the boy had died, the gaoler must have been tried for murder. But though the boy survived, ought the gaoler to escape punishment? Ought he not to be tried for a most gross act of injustice and cruelty? Was he to escape altogether, because the extreme consequence of his act had not followed? It was quite obvious, that the magistrates dismissed the chaplain because he thought proper to speak of that subject. An attempt had been made to inculpate the chaplain; but ten of those very magistrates had given the chaplain a good character. The matter could not rest where it was. If the committee were not appointed, perhaps some other means might be devised to obtain a full investigation into the circumstances of his suspension. He agreed with the sentiment expressed in the letter of the right hon. Baronet, who said:—

> "The responsibility of these proceedings at the general quarter sessions is upon those magistrates who recommended and adopted that decision."

That was all he said; and he thought that if all the allegations could be proved, although the mal-practices had been connived at by persons of high name and character, their position should not free them from the consequences of their conduct. If the inquiry was resisted, it would give the greatest blow ever yet given to the unpaid magistracy. He trusted that the committee, if granted, would whitewash the magistracy from the charges brought against them.

Mr. *Curteis* had listened to the statement of the hon. Member for Finsbury with some degree of prejudice, thinking that it might have been made the vehicle of some wit and pleasantry, and a little of party spirit, but after having heard the speech of the hon. Member, and having also heard the reply made by the hon. Member for North Cheshire, he had come to the conclusion that the House ought to grant the committee asked for. He bore willing testimony to the excellence of the letters written by the right hon. Baronet the Secretary of State for the Home Department, and if full effect were given to them, they would, in his opinion, prove of great benefit to the community. The real secret of the matter appeared to him to be this—the magistrates did not like to be interfered with by the Secretary of State. But in his opinion, the Secretary of State was a very proper person to interfere and arbitrate between the chaplain and the gaoler. If the House shrunk from an investigation into this case, he was firmly of opinion it would do great damage to the character and reputation of the magistracy of the country. This was no party question, and he therefore called upon hon. Members on both sides of the House to assist in giving effect to the admirable principles laid down in the letters of the right hon. Baronet the Secretary of State for the Home Department.

Sir *J. Graham* was happy to say that it would not be necessary for him to detain the House at any very great length. In the first place, he was bound to acknowledge that the hon. Member for Finsbury, after what had occurred on this particular subject, was fully justified in bringing this matter to the consideration of the House. More than that, he must be permitted to say that the hon. Member had brought it forward in a most dispassionate, clear, and able manner. He would very shortly address himself to what he conceived to be the real point for consideration in the motion of the hon. Member for a committee to investigate still further into this matter. He quite agreed with the hon. Baronet, the Member for Preston (Sir G. Strickland), that this was a subject in which complete investigation was indispensable. And if he saw any advantage that could result from any further inquiry—if he thought, by pursuing the matter further, any new or concealed facts would be brought to light, he would not oppose the motion. But the facts of the case, he believed, were all clearly before them, and further inquiry could therefore be productive of no benefit. It had been alleged, and truly, that the prison inspectors had no power to interfere with or to alter the gaol regulations. It was true that the powers granted to the prison inspectors by law, under the direction of the Secretary of State, was to inquire and report as to the state of the several gaols; but they had no power to control, to make or to alter the regulations which it was the duty of the visiting magistrates to make. In one respect, he must be allowed to differ from his hon. Friend the Member for Cheshire. He thought the case of the chaplain was settled, and that it was not advisable to revive it. With regard to the conduct of that gentleman, he was not prepared to offer any opinion. He had no knowledge of the leading facts on which his hon. Friend had relied. The prison inspector had not preferred any charge against him, but that gentleman differed from the chaplain in one particular. The prison inspector had reported to him, that no communication made to him on the part of the chaplain was confidential; on the contrary, the inspector distinctly told the chaplain that any communication made to him would be considered official, and not confidential. The hon. Member for Finsbury complained that all the reports of the prison inspectors had not been laid on the Table. But the great object of the control which was vested in the Secretary of State, over the management of prisons, would be in a great measure defeated, if not altogether frustrated, unless the reports of the prison inspectors made under his direction were considered of a confidential nature, and if they were to be laid indiscriminately before the House, that confidential nature would be at once destroyed. So also in regard to the communications between the Secretary of State and the bench of magistrates in reference to prison regulations—he did not agree that on all occasions it would be advisable that those communications should be laid before Parliament; at the same time, in reference to the present case, looking at the particular circumstances, he did not think it would have been right to refuse to lay on the Table the communications which had passed between himself and the magistrates, and the opinions which upon full consideration he had formed in reference to it. With regard to the conduct of the magistrates in retaining the governor of the gaol, contrary to the opinion of the Home-office, he must say, the charges against that officer were either admitted or denied. He was bound to state that the control and management of the gaols in this country formed a most difficult and onerous part of the duties of the Secretary of State; but in the performance of that duty he had received from the magistrates generally the most effective assistance and co-operation. He must further state his deliberate opinion that any change in the law which should take the control and superintendence of gaols out of the hands of the visiting magistrates and vest it in the Secretary of State would not conduce to the public good. No Secretary of State, with the aid of any number of prison inspectors, however diligent, would by his own individual authority, be able to exercise that effective control and superintendence of the gaols which was now exercised by the visiting magistrates. And, further, if the visiting magistrates were to exercise that effective control which he held to be indispensable, the power of appointing the officers of the gaol must be vested in them. He did not think the control could be effectual unless they also had the power of removing as well as of appointing these officers. He would not dispute the proper exercise of that authority on the part of the magistrates of Cheshire in the dismissal of the chaplain of Knutsford Gaol, but in respect to the exercise of the power of the magistrates in maintaining the governor of the gaol in his office, upon that point his opinion was upon record. He was bound to say that, in his opinion, the magistrates of that county had in this respect acted without due consideration. He did not impugn their motives, but he regretted their decision. He agreed with his hon. Friend who represented the county, and whose statement was to be relied on, that the majority in favour of maintaining the gaoler in his office was overwhelming. [Mr. *T. Egerton*—"It was unanimous"]. He had thought that the decision was that of a large majority, but his hon. Friend reminded him that it was unanimous. He had, however, understood that an overwhelming majority, composed of men of opposite opinions, had decided upon retaining the gaoler in his office, contrary to his recommendation. He was quite satisfied that there was nothing corrupt in the motives which had influenced that decision, he was rather disposed to adopt the opinion of the hon. Member for Rye (Mr. Curteis) that there was some slight feeling of jealousy on the part of the magistrates arising from the interference which he in the discharge of his duty had thought it necessary to offer. That being his opinion he was not willing to speak harshly of the decision of the magistrates, though as he already said, he could not regard it as a judicious exercise of the power which they undoubtedly possessed. He repeated that he saw no advantage that could result from any further inquiry —all the facts of the case had already been ascertained. He was of opinion that the power of appointing and dismissing the officers of gaols should remain in the hands of the magistrates; but without pledging himself to any ulterior step—and he hoped the House would acquit him of any disposition to extend the powers of the office he held—without pledging himself to any ulterior step, he could conceive that it might be necessary to give to the Secretary of State a concurrent power of dismissal with the magistrates. The exercise of that power should be the exception and not the rule—for its due exercise the Secretary of State would be always responsible, and if he exercised it lightly or capriciously, the representatives of the local magistracy in that House would have an opportunity of calling him to an account. The exercise of such a power should be rare; but judging from his experience—and again he trusted the House would acquit him of desiring to extend the powers of his office, judging from his experience, he was disposed to think it would be beneficial to the country that the Secretary of State should have, not the power to appoint, but a concurrent power with the magistrates in the dismissal of the prison officers. With regard to the motion he must agree that no ground for the proposed inquiry had been shown. He thought with the hon. Gentleman opposite, that after what had occurred the question could not stand on its present footing; and he had stated to the House, without pledging himself to legislative interference, what he thought was a better course than the proposed inquiry. He advocated with the hon. Member for Preston the propriety of retaining the power in the local authorities rather than in the executive, but at the same time he thought some control in respect to the dismissal of officers was necessary. He would strongly urge upon the hon. Member for Finsbury the propriety of not forcing the question to a division on that occasion; if he should insist upon doing so he should feel it his duty to resist the motion. Whether the hon. Member adopted his suggestion or not, he would say this, that the matter would be carefully considered by the Government, and, without giving any pledge on the subject, he was disposed, as at present advised, to suggest some legislative remedy during the present Session.

Sir *T. Wilde*, who was suffering under a severe cold, was understood to say, that, however much had been made known to the House of the conduct and management of the gaol at Chester, yet there was much more that the House did not know. He was quite content with the remedy which had been suggested by the right hon. Gentleman—that of giving a concurrent power of dismissal to the Secretary of State, because that power would be exercised under a sense of responsibility, and he was sure it would not be administered with any feeling of fear of offending the magistrates. The facts brought before the House formed the most overwhelming case he had ever read or heard of in his life, and unless the House had full confidence that it was a matter which would receive ample attention from the right hon. Gentleman and the Government, he was of opinion that the proper course to be taken was the appointment of a committee of inquiry. There was a case upon record which might serve as a precedent, if any were wanted; it was that of the warden of the Fleet, who held a patent office: on one occasion, he grossly misconducted himself, and the House granted a committee of inquiry notwithstanding he was irremoveable. He recommended, that his hon. Friend, the Member for Finsbury should leave the matter in the hands of the Secretary of State, who had promised to take all the necessary steps for accomplishing the objects of the petition.

Mr. *W. O. Stanley* regretted the imputations which had been thrown out, and the language which had been used by the hon. Member for North Cheshire, in reference to one of the parties principally implicated. If the hon. Member had only remembered that the evidence of that individual had been given on oath, he was sure that the hon. Member would not have thought of using such expressions. The speech of that hon. Member had certainly done much to confirm his impression that inquiry into this case was highly necessary, and he thought it was only on receiving the assurance of the Home Secretary that he would not let this matter rest where it was; but would vindicate the authority of the Home-office, that they ought to consent to forego a division on the present motion. He should not go into the facts of this case, but he could not help observing, that he thought there was no sufficient cause for the dismissal of the chaplain. With respect to one fact connected with that officer, he wished to correct what he believed to be an erroneous impression. He believed that the chaplain had never been shown the minute of the magistrates; and that he had never been called upon by them to send in any monthly report. He rejoiced that the question had been calmly considered; and he hoped the magistrates would derive a lesson from what had been said, and that the whole discussion would tend to a beneficial alteration of the present system. He hoped, too, that it would not be without its good effect upon the Government, by teaching them the advisability of instituting a better system of gaol discipline.

Mr. *Legh* wished, before this discussion closed, to read a single extract from the surgeon's report. It was as follows:—

> "Ever since my appointment as surgeon to the gaol, I have noticed with regret the gradual falling away of the men sentenced to long terms of imprisonment and I have endeavoured by various means to obviate this. I have exempted them from the ordinary gaol labour, employed them in irregular labour in the yards, increased and varied their food, but without any very satisfactory results. My conviction after fifteen years' experience is, that it is impossible to keep men under long sentences of imprisonment in robust health; it is not that they fall actually sick, but that they become pallid, care-worn, and enfeebled, and loose all their energy and exertion. This is not the effect of the diet or the labour, the locality or discipline of the gaol, but arises I believe solely from their being in confinement, and the depressing circumstances attending that confinement."

With respect to the statement of the hon. Member for Anglesea, to the effect that the magistrates minute had not been communicated to the chaplain, he could not from his own knowledge positively assert the contrary, but he was instructed to say, that the minute was communicated to that officer, and that that view was corroborated by the minute made at the justices special meeting:—

> "Mr. Dean stated, that having seen the entry in the journal, he wrote to Mr. Browne complaining of it, but Mr. Browne had not replied to that note, but had shown it in the town, and the subject had been freely canvassed. The chaplain's journal was produced, and, an erasure appearing in the entry of the 16th of June last, he was asked whether that erasure was made previous to the journal being submitted to the court of quarter sessions on the 29th of June last, to which he answered that he believed it was. The chaplain stated, that in making the entry, he had done on the 16th of June last, he had no intention to make any charge against Mr. Dean, or to reflect on his conduct as surgeon. The chaplain apologized to the visiting justices and to the surgeon for the entry made in his journal on the 16th of June last. The committee are of opinion, that the chaplain should in future report to each meeting of the gaol committee on the state of the gaol, and any observation he has to make on the discipline."

At the proceedings connected with this matter, he was not himself present, and therefore he should not then trouble the House at any greater length than to say, that the hon. Member for Finsbury had referred to the present state of the gaol, under the influence of a total misapprehension. He had stated, that the average number of punishments was 392. That, however, was the daily number of prisoners, while the daily average of punishments was only twelve. As to the conduct of the chaplain, he did not take on himself to pronounce any opinion upon that.

Mr. *Henley* wished to say a few words lest his silence should be construed into an acquiescence in principles and proceedings to which he altogether objected. In the first place, he wished to express his full conviction that the subject of prison discipline must undergo a complete revision, and be subjected to an entire change. He was fully persuaded, that no patchwork system ever would do. Again, he could not help noticing the operation of the various new rules and new practices which had been introduced into prisons. The chaplain was independent of the gaoler, and the gaoler of the chaplain. The duties of those parties might clash, and then the inspectors might come down and interfere with either, being independent of both. The governors might have their view of improvement, and the inspectors might have theirs — one man might have one crotchet, and one might have another, and each might labour in opposite directions for the accomplishment of the objects which they had severally in view. This was surely a state of things which could not be allowed to continue. He had recently seen the report respecting the prison at Northleach. The statements made with respect to that place of confinement, showed very clearly that it was by no means the best conducted of all the prisons. There was no one who read the report, and who took a view more or less accurate of the statements which it contained, but must be struck with the fact that there existed no competent local authority—nothing to make the parties concerned to act in unison. The justices possessed no authority—every official person connected with the system was independent of every other, and no means existed to make them work harmoniously together.

Mr. *T. Duncombe* in reply, observed, that from the beginning he stated that he went far beyond the dismissal of Mr. Browne. There were several points in the case—that was one of them; but it did not constitute the whole of the case. Mr. Browne did not dispute the power of the magistrates to dismiss him; all that he did was, to pray the House to institute an inquiry. After what fell from the right hon. Baronet, he felt that he could not press his motion any further. He hoped that no such occurrences as those which had been made the subject of complaint, would ever take place again; and feeling satisfied that the right hon. Baronet would redeem the pledge he had given, he should consent to withdraw his motion.

Motion withdrawn.

MILLBANK PRISON.] On the Order of the Day for the Third Reading of the Millbank Prison Bill,

Mr. *T. Duncombe* said, that those persons who had become insane in consequence of their confinement were by this bill to be removed to a lunatic asylum. It was also provided, that if a cure should be effected in the asylum before the term of imprisonment had expired, they should then be removed back to the prison. Now that was a cruel provision in any Act of Parliament, for it was very likely, he thought, that in such cases the insanity would return. Such a clause, in his opinion, ought not to be continued in the bill.

Sir *J. Graham* said, the hon. Gentleman was mistaken if he supposed that this provision was peculiar to this bill. It was part of the general law of the land. When a prisoner was proved to the satisfaction of the medical officers of the prison to be lunatic, the Secretary of State for the Home Department had power to remove him to a lunatic asylum; and, again, when the officers of the lunatic asylum certified that he was recovered, to send him back to prison and let the law resume its force; unless in the exercise of his discretion he should advise the Crown to exercise its prerogative of mercy and to remit the rest of the punishment. He had every day to advise the Crown in such cases. He was not prepared to alter this general principle of the law. It worked well and safely, and its enforcement might with propriety be left to the judgment of the advisers of the Crown.

Mr. *Henley* said, that Millbank Penitentiary was extremely unhealthy. Some years since epidemics arose there from shortness of food. What had occurred in it showed that we were not sure to escape great mischief because a prison was under the control of Government. Yet, this new prison was to be solely under the control of the Secretary of State for the Home Department and the inspectors appointed by him, and no other human being was to know what took place within it.

Sir *J. Graham* hoped, after what had fallen from the hon. Gentleman, that the House would allow him to explain the real intent and object of this measure. The hon. Gentleman was right in stating that Millbank Prison was generally unhealthy. It was now quite clear that long confinement there on low diet was fatal to the constitution. Since the alteration of the diet experience had proved that, from the site of the prison, long confinement there with even the fullest diet could not be consistent with health. This was the unanimous opinion of the medical authorities and others who had been consulted. As, therefore, the idea of using this prison as a penitentiary was abandoned, the next thing which the Government had to consider was, what use might be made of it; for it was a large building and had many conveniences as a prison. He had on a former occasion stated to the House the earnest endeavours made by him and his colleagues for the classification of prisoners. For juvenile offenders there was the prison at Parkhurst, where they would remain till they were eighteen years of age, before which age it was not considered desirable that they should be sent to Pentonville, which was to be appropriated to adults; and for older offenders there were the penal colonies. They had lately introduced a complete system of classification which was known to the judges. Speaking generally of sentences of transportation at the sessions or assizes, the general rule was that the sentence was to be carried into execution. But the criminals were to be divided into three classes. The first was to consist of those who could get tickets of leave on their arrival on account of their general good conduct. The second class was to consist of those whose reformation was certain, and to whom tickets of leave would be granted after some probation in the colony, if their conduct should be satisfactory. The third class was to consist of those who were completely depraved, and who would suffer the utmost punishment awarded to them. It was desirable, with a view to classification, that there should be a term of probation before the classification should be determined. For this purpose there should be a general dépôt for all convicts, in which they would not be kept more than nine or twelve months—experience showing that confinement in Millbank—which was selected for the dépôt; beyond that period would not be quite consistent with health. In that period some opinion might be formed as to the character of the convicts. From that depôt the juveniles would be sent to Parkhurst, the adults to Pentonville, and the others on board the hulks. In making this classification, he acted in conformity with the views of the Committee of Management of Pentonville Penitentiary, who thought that the discretion as to classification should be left with the Crown.

Bill read a third time and passed.

Queen's Bench Offices Bill was read a second time.

House adjourned at a quarter past ten.

HOUSE OF COMMONS,

Wednesday, May 24, 1843.

MINUTES.] BILLS. *Public.*—1°. Townshend Peerage.

2°. Roman Catholic Oaths (Ireland); Pound Breach and Rescue.

Private.—1°. Maryport and Carlisle Railway.

Reported.—Hull Waterworks; Ballochney Railway; Lough Foyle Drainage; Bannbridge Road; Dean Forest and Gloucester Railway.

3°. and passed:—Oxnam's Estate; Southampton Docks; Sowerby and Soyland Inclosure; Belfast and Cavehill Railway.

PETITIONS PRESENTED. By Messrs. M. Gibson, B. Wood, S. Crawford, Blackstone, Ricardo, Wodehouse, Standish, W. Ellis, Hume, P. Howard, Brotherton, and Ewart, Dr. Bowring, Lord A. Lennox, Sir G. Strickland, and Lord Alford, from am immense number of places, against the Factories Bill.—By Mr. M. Gibson, and Mr. B. Wood, from Manchester and other places, for the Total and Immediate Repeal of the Corn-laws.—By Mr. Blackstone, from Wallingford and other places, against the Canada Corn Bill.—By Sir R. H. Inglis, from the Clergy of Pimperne, against the Union of the Sees of St. Asaph and Bangor.—From several places, in favour of the Factories Bill.—From Nottingham, against the Ecclesiastical Courts Bill.—From Truro, and other places against the Turnpike Roads Bill.—From a Parish in Bristol, against the Health of Towns Bill.—From Bristol, and St. George's the Martyr, (Southwark), against the County Courts Bill.—From Yaxley, against the Drainage of Lands Bill.—From Romney Marsh Union, against the Beer Act.—From Nottingham, and a number of other places, for Carrying out Rowland Hill's Plan of Post-office Reform.—From the Southwark Literary and Scientific Institution, for Exemption from the Payment of Rates and Taxes.—From Newark, for Amendment of Bankruptcy Act.—From Chorley, against the Truck System.

CHARITABLE TRUSTS.] Sir *G. Grey* moved the Order of the Day for the second reading of the Charitable Trusts Bill.

On the question that the bill be read a second time,

Mr. *Hume* did not rise to offer any objection to the motion, but to call the attention of the Government to this most important subject. Had he been aware that the bill would be brought on for a second reading that evening he would have brought down with him a variety of details, showing the immense amount of property in land and funds which was vested in trustees, many of whom acted as if they were subject to no public responsibility. It could be shown that the property of this description amounted to not less than 6,000,000*l.*, over which there did not exist that salutary control which the public had a right to expect with regard to such an amount of funds invested for such useful purposes. What he thought the Government ought to do was to establish a board for the supervision of such trusts, and to which each of the trusts respectively should be bound to transmit an account of its proceedings; so that it could be seen at once what was the nature of the trust, what the intentions of its founder, and how far those intentions were carried into effect. A board of this kind had been established in Ireland, which had been attended with very salutary results, and a large amount of funds, which had been diverted from the purposes for which they were originally intended, had been restored to their legitimate objects. Similar results would, he had no doubt, be produced in England by the establishment of a board with similar powers.

Sir *R. H. Inglis* thought, the bill too general and sweeping in its enactments. It was most important to know whether the bill was to apply to 100 or 500 or 1,000 charitable trusts: but he feared that, for good or for evil, more than that number of trusts would be affected by it. He would admit that it was most desirable that for any abuse arising in any trust there should be a cheaper remedy than that which could be afforded by a Chancery suit, which, however amicably conducted, would swallow up the entire funds of many of those trusts. On another ground, he thought the bill too general, for it gave power to the Attorney-general to visit every charitable trust, no matter whether the trustees were found capable of managing the trust or not. With these views of the bill, he had great doubts whether he could support its further progress.

The *Attorney-General* had long been of opinion that some large and comprehensive measure was necessary to meet the evils which had arisen in connexion with charitable trusts, and if when he stated that such a measure was under the consideration of Government and would be brought forward, the right hon. Gentleman (Sir G. Grey) would consent to withdraw his bill, he would not trouble the House with any further observations on the subject. The hon. Member for Montrose had not at all overstated the amount of property vested in trusts for charitable purposes in various parts of the kingdom, great portions of which were subjected to very bad management. It was not too much to say, that trusts amounting to upwards of 1,000,000*l.* per annum thus invested called for investigation, which would, no doubt, have the effect of not only restoring it to its legitimate destination, but of also greatly improving it in amount. He considered it advisable that some comprehensive scheme in connexion with this subject should be adopted in order that these charities might be under proper visitation, instead of the present expensive and complicated process. He hoped that the right hon. Gentleman would not press his bill. He expected to be able during the present Session of Parliament to bring in a bill for the regulation of these charitable and trust funds.

Sir *G. Grey* could not consent to abandon the bill altogether. He was gratified at hearing from the Attorney-general that the subject had engaged the attention of the Government, and relying on his pledge that some measure would be brought forward by the Government during the course of the present Session, he would withdraw his bill for the present, and place it on the paper for this day three weeks. He should be sorry to abandon the hope that the bill would pass during the course of the present Session. He hoped the House would consent to the second reading of the bill, and he would postpone the further consideration of it to this day three weeks.

Sir *J. Graham* desired to guard the right hon. Gentleman against any misconstruction of what had fallen from his hon. Friend the Attorney-general. The subject was one of great magnitude and importance, and had engaged the serious attention of the Government. The Lord Chancellor had devoted a considerable portion of attention to the subject, which was a most difficult one. He could not pledge himself that the Government would bring forward a measure on the subject, which would be passed into law during the present Session. He hoped the measure would be sufficiently matured to be laid upon the Table during the course of the present Session, but he could by no means pledge himself that the Government would be enabled to pass a law on the subject. He was anxious, however, to have it distinctly understood, that under no circumstances could he consent to the second reading of this bill. When the bill was first proposed, he had stated that he had considerable doubts upon the subject, and, upon mature consideration, all those doubts had been confirmed. The bill proposed to introduce a new principle in dealing with these trusts. He objected to deal with these trusts in any way but judicially. Now the present bill proposed to give the executive Government power to deal with these trusts, and he thought that power ought to be entrusted only to a court of justice. He must therefore oppose the second reading of the bill.

Mr. *Brotherton* approved highly of any general system by which the public could be made acquainted with the annual income and expenditure of those trusts, for he thought an exposition of their nature and extent would tend to prevent their misappropriation.

Colonel *Sibthorp* hoped that the right hon. Gentleman below him (Sir James Graham) would bring in some measure on this subject, as there could be no doubt that the funds of these trusts were grossly mal-appropriated for election purposes. He regretted to hear that nothing would be done on so important a subject in the present Session, and he thought the House ought not to allow Parliament to be prorogued before a bill was passed and received the royal assent.

Mr. *Wyse* said, the only objection which he entertained to the measure was on account of its incompleteness; he thought it fell short of the necessities of the case. The Legislature should, no doubt, be cautious in departing from the objects of the founders of those trusts; but it should also be borne in mind that a different state of society required different institutions. Many of the most valuable establishments on the continent were old establishments which had been remodelled.

Mr. *Ewart* thought it would be very desirable that the Government should introduce a measure with respect to the administration of those trusts before the prorogation of Parliament, which might be considered in a future Session.

The second reading of the bill postponed to June 14th.

Roman Catholic Oaths.] Mr. *Ross* moved the second reading of the Roman Catholic Oaths (Ireland) Bill.

Sir *R. Inglis* opposed the bill. The oaths imposed on Roman Catholics had been framed as a certain security to be taken prior to voting at elections, and was tendered as such security at the passing of the Catholic Relief Bill. It appeared, according to the hon. Member, that conflicting decisions had been given since the passing the Reform Bill, whether the oath should be taken or not. Prior to the passing of the Reform Bill, there could be no doubt that the oath was to be taken. The doubt, therefore, might as easily be resolved in the affirmative as the negative. The bill resolved it in the negative, Now he should propose to resolve it in the affirmative, and require that every person professing the Roman Catholic religion should take the oath prior to voting at elections. Before dividing the House he waited to hear what decision her Majesty's Government had come to.

Mr. *T. C. Smith* (Attorney-general for Ireland) said it was perfectly true that, from the time of passing the Roman Catholic Relief Bill down to the passing of the Irish Reform Bill, every voter was bound to take that oath; but the question was now as to the construction of the Irish Reform Act, and whether the oath required by the 10th of George 4th was repealed by that act. And, first, upon this there arose a question of construction upon the English Act. According to that act, registration was to be conclusive, and certain questions only were to be put, as to whether the voter held the same qualification, whether he was the party registered, and whether he had already voted. That act was open to the same question as to Roman Catholic voters as the Irish Reform Bill; but since the passing that act he did not find that a single Roman Catholic voter had been called upon to take the Roman Catholic oath in England. In the Irish Reform Bill, in the same way, there was a regulation that the certificate or original affidavit of registry should be conclusive, although the continuance of the oath was not altogether inconsistent with that act. Still it appeared to him that the construction of that act was to repeal the Roman Catholic oath—it had been so decided by two committees of that House; and in an instance where he had known the oath tendered, he must say that it had an unfair tendency to delay the polling of the voters. Under these circumstances he thought he was bound not to refuse his assent to the bill.

Bill read a second time.

House adjourned at twenty-five minutes to seven.

HOUSE OF COMMONS,

Thursday, May 25, 1843.

Minutes.] Bills. *Public*—1°· Scientific Societies.

Reported. —Sudbury Disfranchisement.

Private.—Reported.—Great North of England Junction Railway.

3°· and passed,:—Scarborough Harbour.

Petitions Presented By Messrs. W. Ellis, Ord, H. Watson, Tancred, Curteis, P. Howard, Scholefield, Turner, Blewitt, Christie, H. Barclay, Bowes, S. Crawford, Jervis, Cobden, M. Philips, T. Duncombe, G. Byng, O. Gore, Aldam, Brocklehurst, Redington, Hawes, Gisborne, and Stansfield, Dr. Bowring, Lord A. Lennox, Lord A. Hervey, Sir J. Hanmer, Colonel G. Langton, Captain Rous, Lord Duncan, Sir J. Seale, Lord Howick, and Sir G. Grey, from an enormous number of places, against the Factories Bill; and from several places, in favour of the same.—By Messrs. Brotherton, Cobden, and M. Phillips, from a number of places, for the Total and Immediate Repeal of the Corn Laws.—By Mr. T. Duncombe, from Leicester, against the severity experienced by the prisoner Cooper.—From Rochdale, for further Limiting the Hours of Labour in Factories.—From several places against the Union of the Sees of St. Asaph and Bangor.—From the Gloucestershire Medical Association, for Medical Reform.—From the Bakers of Drogheda, against Night-work.—From Drogheda, Cork, and other places, against the Poor Relief (Ireland) Act.—From several places, against the Canada Corn Bill.—From Rochdale, against the Ecclesiastical Courts' Bill.—From Kilbrogan, and Mallow, for Encouraging the Church Education Society Schools.—From Dublin, and Cork, against any further Grant to Maynooth College.—From Macclesfield, and another place, for Exempting Literary and Scientific Institutions from the Payment of Rates and Taxes.—From Sunderland, for Amending the Regulations of the Merchant Seamen's Fund.—From Ross, against the Malt-tax.—From Northampton, and Chester, against the New Bankruptcy Act.—From two places, against the Turnpike Roads Bill.—From Colchester, Badger, and other places, for Church Extension.—From Dublin, against the Municipal Corporations (Ireland) Act.—From James Heywood, against certain Oaths imposed by the Universities of Oxford and Cambridge.—From W. Cobbett, against the Queen's Bench Prison Bill.

Public Works (Ireland).] Mr. *Redington* wished to know whether it were true that communication had been made to the Board of Public Works in

Ireland, stating that the government could not sanction any further grants of public money for the purpose of public works in Ireland?

The *Chancellor of the Exchequer* said, a sum of 50,000*l.* had been appropriated in the reign of her present Majesty, to be applied either as grants or loans, according to the discretion of the Treasury, to the Board of Public Works in Ireland. In a minute subsequently issued by the Treasury, a strong opinion was expressed that the system of loans was the least advisable to be carried into effect. It so happened that in the execution of the Act the Commissioners of Public Works of Ireland did not revert to that minute, but appropriated 46,000*l.* out of the 50,000*l.* as loans, instead of appropriating it as grants. On his accession to office he found things in this situation, and he communicated to the Board of Works that, under the existing circumstances, all the Treasury was empowered to do was to advance the 4,000*l.* remaining of the whole sum for the grants, for which the board might have made engagements. He was about to introduce a bill for the purpose of making the grants for the public works of Ireland analogous to those of England, but giving to Ireland this advantage, that there should be a fund in that country to be distributed by the commissioners, at the same time preserving to Ireland the claim she had upon the fund in this country. Intimation had been made to the parties that means were being taken to correct the error into which the commissioners had fallen, and that 21,000*l.*, which had been appropriated as loans instead of grants, should be retransferred to grants, instead of loans. At the same time he expressed his opinion to the commissioners that they were not, under the circumstances, to give encouragement to the system of loans.

Idolatry in India.] Sir *R. Inglis* wished to put three questions relating to any encouragements which had been given to idolatrous worship in India. The opinion of the House had been so unanimously expressed on this subject about three years ago, that it was wholly unnecessary for him to trouble it with any observations on it at present. He would ask his right hon. Friend at the head of the Government what steps had been taken in order to separate finally the connexion between the Government of India and the worship of its heathen and Mussulman subjects? He would next ask what steps had been taken to separate the connexion of the company's officers not alone from the interior management of the pagodas, but also from the management of the lands appropriated to their use? He was glad to find, that partly owing to the exertions of the late, and partly owing to those of the present Government, a great advance had been made in this latter respect. His third question was, what steps had been taken to discontinue the grant of 60,000 rupees which had been made to support the temple of Juggernaut?

Sir *R. Peel* said, that previous to the accession of the present Government to office, in the month of August, 1841, the late President of the Board of Control had signified to the Governor-general of India the wish of her Majesty's Government that all connexion between the officers of the East India Company and the ceremonies and worship in mosques and pagodas should cease, and also that all interference on the part of those officers in the management of the landed and other revenues of those mosques and pagodas should be discontinued. Orders to that effect were issued, and inquiries were directed to be made as to the facility with which the connexion referred to might be severed. From the reports of the collectors of eight revenue districts in the Madras presidency, he had the satisfaction of saying that it was their concurrent opinion that there would be no difficulty whatever in separating the connexion between the company's officers and the worship of the natives in the mosques and pagodas, and at the present moment he believed that in consequence of directions from the Home Government, the personal service of the company's officers at those places of worship had been dispensed with. As to the management of the estates destined for the support of those places of Hindoo and Mussulman worship, it was evident that some time must elapse before that management could be transferred to native officers, and some general and uniform arrangement devised, by which the management being left to Hindoos and Mussulmans themselves the connection of the company's officers with them would be completely at an end. With respect to the payment of the annual sum of 60,000 rupees for the support of the temple of Juggernaut, he was aware that a statement on the subject had been published, which, being considered a proper subject for inquiry, the attention of the Governor-general had been directed to it, and the circumstances under which the Government had entered into this engagement were undergoing close investigation. As to the statement that natives had been compelled to draw the car of Juggernaut, he had no means of knowing how the fact stood, but instructions had been sent out to prevent any such compulsory service, and the police had received strict injunctions on that head. The whole subject was in progress of close investigation, and he assured his hon. Friend, that as soon as he should be in a condition to lay the result before the House, he would gladly do so.

Colonial Corn.] Mr. *Darby* wished to put a question to the noble Lord the Colonial Secretary, connected with the measure for allowing corn and flour to come into this country from Canada. He saw a notice given by the hon. Member for Bolton, the object of which was, the extension of the same boon to some others of our colonial possessions. He also learnt, that it was the opinion of others that the same privilege should be extended to Prince Edward's Island, New Brunswick, and Nova Scotia. What he wished to know was, whether it were the intention of Government to extend to any of our other colonial possessions the measure applied to Canada?

Lord *Stanley* said, that if his hon. Friend who had put the question would refer to the returns which were on the Table, he would find that the only colony interested in this matter was Canada, as it was the only colony which had a surplus produce of corn to export. Canada had for years been petitioning for this boon. It was for this, that the present bill was introduced, namely, to fulfil the engagement made by the Government with Canada, and with Canada alone. He might add, that the discussion of the whole Corn-law turned on this one point, and the consequence to which it led afforded another proof of the inconvenience of entering into the whole question on a matter so little affecting it. The engagement of the Government was, he repeated, with Canada, and Canada only. It had made none with any other colony, and had no intention of disturbing the principle of the Corn-laws by any further extension of the principle applied to Canada.

Mr. *Labouchere* wished to know whether he understood the noble Lord correctly in this,—that it was not the intention of the Government in this Session to extend the boon given to Canada to Prince Edward's Island, Nova Scotia, and New Brunswick? Did the noble Lord mean to say, that under no circumstances he would extend the principle of the Canadian measure to the colonies he had named, even should they earnestly desire it—and place a duty on foreign wheat as high as on that of Canada?

Lord *Stanley*: I wish it to be distinctly understood that he course the Government has taken is in accordance with the engagements entered into with Canada, and is not intended to justify other colonies in saying, "we have complied with the same conditions, and we call on you to give us similar advantages." It is our desire, that we should not be called upon to disturb existing arrangements, on the ground of what we have done with respect to Canada; and it is our opinion, that if we should be so called upon, such a course would merely tend to disturb an extensive settlement for an unimportant object.

Sir *G. Grey*: As the noble Lord says, that by reference to the returns we can see that Canada is the only colony that has any surplus corn to export, perhaps he will state what return shows that, as the fact was much disputed in the late debate.

Lord *Stanley*: If the right hon. Gentleman will refer to the returns obtained on the motion of the hon. Member for Bristol, he will see, that, of all the corn imported from our colonies, Canada supplies nine-tenths. I don't say that this is altogether the produce of Canada; but, so far as we have an opportunity of knowing, it is Canadian. New Brunswick, and Nova Scotia notoriously are deficient in the supply necessary for home consumption.

Dr. *Bowring* said, that as the subject was now before the House, he might, perhaps, save time, if he were allowed to put a question which stood as a notice for to-morrow. He had been informed, that the Legislature of Prince Edward's Island had lately imposed a duty on the importation of corn much heavier than hitherto. Now, he wished to know from the noble Lord, whether, if the legislature of that colony should solicit a boon similar to that given to Canada, the Government would say, "No" to the application.

Lord *Stanley* said, the hon. Member's question assumed that the legislature of Prince Edward's Island had laid a duty on foreign corn heavier than heretofore, but he had no official report of any such act having been passed. He had, however, reason to believe that certain resolutions had been passsed, imposing a duty on foreign wheat, as a means of increasing the revenue of this year. The resolutions, however, had not yet been passed into a law, but even if they had it would be only for a single year.

CANADA—DIVISIONS IN THE HOUSE OF ASSEMBLY.] Mr. *V. Smith* wished to ask the noble Lord, whether any divisions had taken place in the legislative assembly of Canada upon the resolution to impose a duty of 3*s.* per quarter on American wheat? and also what was the noble Lord's authority for stating that the resolution referred to had the unanimous approbation of the legislative assembly.

Lord *Stanley* said, the hon. Member for Montrose had already referred him to some divisions which had taken place on the 29th of September last, with respect to the duty on American corn, and had read some extracts from a Canadian newspaper on the subject. But he had at that moment copies of the journals of the House of Assembly before him, and he could find no mention of the divisions to which the hon. Member referred. There had, however, been a division upon a motion to lay an additional tax upon agricultural produce coming from America. That motion was negatived. There had also been a division on the question that the bill should not pass until a corresponding measure should have passed the Parliament of this country, and that motion had been negatived. There had been no division on the general principle of the bill, for the second and third reading were passed without any. He thought therefore, that he was justified in saying that the bill had the general assent of the Canadian Legislature.

SEES OF ST. ASAPH AND BANGOR. Mr. *Clive*: I beg to ask my hon. Friend the Member for Anglesea, whether he is disposed to postpone the motion of which he has given notice for this day? I am induced to put this question in consequence of a discussion that has lately taken place elsewhere, and of the opinions expressed by those deeply interested in the welfare of the church and principality, who are desirous of such postponement.

Mr. *W. O. Stanley.*—In answer to the question put to me by my hon. Friend the Member for South Shropshire, I can assure him I have but one common object with him—namely, the advancement of the spiritual welfare of the principality. I should be most unwilling to put myself forward in opposition to the feelings of those hon. Friends with whom I have been acting so long and so cordially; and should be most sorry to bring forward the motion that stands on the votes of the House for this evening, if it were considered that my doing so would prejudice the cause we were advocating in common. I would most willingly postpone that motion provided I could obtain some assurance from the right hon. Baronet the Prime Minister, that he will apply any surplus funds to be derived from episcopal revenues in the dioceses of St. Asaph and Bangor to the augmentation of poor and populous vicarages and curacies in the principality?

Sir *R. Peel* wished that the hon. Member had exercised his own discretion in the matter. He wished to intimate to him that if he did exercise his own discretion, and brought forward a motion for the repeal of this act, which passed both Houses of Parliament with but little opposition, which act united the bishoprics of St. Asaph and Bangor,—if the hon. Member, pursuant to his notice, moved that that act be repealed, he would exercise his own discretion, and offer the motion of the hon. Member his most decided opposition. That act was proposed to the House upon the recommendation of the Ecclesiastical Commissioners. It was brought forward by the late Administration, and passed through Parliament with but little opposition, although he was aware that out of doors it had met with great opposition. With regard to the appropriation of any surplus fund which might exist in consequence of the union of the sees he could give the hon. Member no assurance. He would adhere to the declaration of Parliament with respect to the union of the sees. He could only say, if the see of

Manchester were founded, and funds not originally contemplated were appropriated for its endowment, and if the sees of St. Asaph and Bangor were endowed out of the great tithes of the neighbouring parishes, he should with great reluctance see them applied to the endowment of the new bishopric of Manchester. He should reserve to himself the full power of considering whether the surplus revenue of the church ought to be first applied to the endowment and allotment of livings in North Wales.

Mr. *W. O. Stanley* said, that after what had fallen from the right hon. Baronet, he should best consult the interest of those whom he represented by not bringing forward his motion.

OATHS IN THE UNIVERSITIES.] Mr. *William D. Christie* :* I rise to move for leave to bring in the Bill, of which I have given notice, " to abolish certain oaths and subscriptions in the Universities of Oxford and Cambridge, and to extend education in the Universities to persons who are not members of the Church of England ;" and if I do not take up the time of the House by apologies for putting myself forward in a question which has so many important bearings, and affects such old and powerful interests, I trust I shall not therefore be supposed insensible to the importance of the task which I have undertaken, and the performance of which, self-imposed though it has been, I now approach with unaffected diffidence. This, I trust, it will be permitted to say, that I have thought, from the time which has been suffered to elapse since this question was last agitated, that those who might be looked to in this House to move for the redress of any religious grievance have probably been deterred from this particular question by the many technical details and difficulties which embarrass it, and I have thought also that my own comparatively recent residence in one of the Universities might so far give me an advantage for dealing with the technicalities of this question. Be this, however, as it may, I may at least hope that the freshness of my recollection of one University, and of my feelings towards her, will secure me from adopting any tone towards the Universities that might prejudice my purpose, or any argument tending to depreciate the advantages, to a participation in which I ask to admit Dissenters from the Established Church; and I am indeed anxious to assure the House that I approach this question in no spirit of irreverence towards those ancient and venerable institutions, which were the cradles of learning in this country, and have borne so great a part in feeding the intellects and forming the characters of the great men who have been among us, and which, though time may have rendered many changes necessary, and self government introduced corruptions, yet I do believe—little though I know my testimony can be worth, yet standing here for the purpose that I do, I shall at least be absolved from the presumption that would attach to me were I gratuitously to offer it—which I yet do believe to possess the elements of fitness to impart a liberal and manly education, superior to those of any Universities which Scotland, or America, or France, or even Germany can boast of. And yet it is no injury, as I conceive, which I purpose to inflict, but rather a benefit to confer, on the Universities, whose usefulness will be extended, from whose escutcheons a deep stain of injustice will be wiped out, and whose hold on the national respect and affection, will be strengthened by granting—this boon I will not call it—this rightful claim of the numerous members of our political community, whose consciences will not permit them to adopt the articles and the formularies of the Church that is established. I am met at the very threshold of this question by the denial of the right of Parliament to interfere. Now let us understand what the Universities are. They are corporations of a public character—civil lay corporations as the law knows them—holding charters under the authority of an Act of Parliament (13 Eliz. c. 29), which describes their objects as " the maintenance of good and godly literature and the virtuous education of youth,"—possessing in virtue of these charters the powers and privileges necessary for carrying out their objects—and invested by the State, in consideration of their high character and usefulness, with other privileges, such as the return by each of them of two Members to this House of Parliament. They have the powers necessary for the free fulfilment of their functions, and with the exercise of these powers the State would not do right in interfering, except when they are exceeded, or are used to alter indirectly, but essentially, the character of the corporations, or to do anything which has an injurious bearing on the public interests of the State. But while they have these powers, they exist, it must be remembered, for a public purpose, and in a relation to the State, which renders it necessary that they should be amenable to the control of the supreme legislative authority. The Legislature would not allow the Universities to maintain, as a condition for receiving the benefits which they dispense, a religion different from that which is established by the State. So I contend that it ought not to allow the Universities to establish or maintain restrictions, which confine their benefits only to a portion of those for whom they are justly available, and which are at variance with those principles of religious liberty which so eminently conduce to the well-being of the State. So much for the Universities. In peculiar connection with them exist a set of other corporations, of a different character, I mean the Colleges, which are originally private corporations—created by royal charter in order to give effect to the charitable intentions of individual founders, and governed by rules given by the founders with the sanction of the Crown; with which rules the State will not interfere, unless their observance becomes in a public point of view injurious. But these colleges, though originally, as I have said, private corporations, are now become, by the nature of the connection now subsisting between them and the Universities, as public as the Universities themselves. They were originally founded solely for the pecuniary benefit of the persons designated in the respective instruments of foundation, and in order to give those persons the power to partake in the education of the universities, within the confines of which, for this purpose, the colleges were placed. But in course of time, and by a series of steps, which it is not my purpose to detain the House by tracing, but which have been traced very minutely and clearly for both the universities—as regards the University of Oxford by Sir William Hamilton, in some well known articles in the *Edinburgh Review*, and as regards the University of Cambridge by Dr. Peacock, the Dean of Ely, in his most useful work on the Statutes of the University of Cambridge—the colleges have become, or I may say have made themselves to all intents and purposes the universities. Now, as is known to every one no one can obtain admission to either university except through the medium of a college; and the heads of colleges are virtually the governing bodies in both universities. Under these circumstances, I contend that the colleges have merged their original private character in the public character of the universities; and that legislative interference, if it be necessary, with the colleges would stand upon the same footing as legislative interference with the universities. But, Sir, I may state at once, that it is not my intention to propose to interfere compulsorily with the colleges. I find the colleges existing as important bodies in this country—powerful and respected—having rich endowments and great capabilities of usefulness—their members showing great activity in the performance of the duties which they find set before them, and animated I believe in almost all cases by the most conscientious zeal. Under these circumstances I do not think it desirable to scan too closely questions of original or acquired character and of the strict right of Parliament to interfere, but to leave the colleges, so long as there is even a hope of their rendering legislative interference unnecessary, to their own free action. And I am willing to hope and believe that legislative interference with the colleges will not be necessary for the attainment of my purpose. I hope it may be attained by legislative interfereuce with the universities alone; and the right of the Legislature to interfere with the universities—the power, I presume is not disputed—the right to interfere, where such interference is just and expedient, I hold to be on every ground indisputable. Having thus diposed of this preliminary objection, I proceed to state the nature and extent of the grievances which I ask the House to remedy. In the University of Oxford which I will take first, no person can matriculate without first subscribing the thirty nine articles, and taking the oaths of allegiance and supremacy. These are the tests on admission. The same tests are again imposed on taking the bachelor of arts' degree, with the additional one of subscription to the three articles of the thirty-sixth canon of 1603. All these tests are imposed for all other degrees, with the exception of degrees in music. In the University of Cambridge the practice is very different, and much less exclusive. There is no test of religious faith whatever for matriculation; so that a person who is not a member of the Church of England, if he can obtain admission to a college, and has no objection to conform to its chapel rules, or can obtain exemption from them, can enter at the University of Cambridge and reside there until the time arrives for taking a degree. In order to take the bachelor of arts' degree, it is necessary to take the oaths of allegiance and supremacy, and to subscribe a declaration that the candidate for the degree is a *bonâ fide* member of the Church of England. The same tests are imposed for the degrees of bachelor of civil law and bachelor of medicine: and for all other degrees, except those in music, there is the additional test of subscription to the three articles of the thirty-sixth canon of 1603. Thus it will be seen that no one can obtain a degree in either of the universities who is not a member of the Church of England. Now certain privileges have been attached to the degrees, given by the Universities of Oxford and Cambridge, by different public bodies in this country, in character similar to the universities. The inns of court, which prescribe the rules of admission to practise in her Majesty's courts at Westminster, give to a master of arts of Oxford or Cambridge the privilege of being called to the bar two years earlier than any one else. A degree of doctor of laws of Oxford or Cambridge is an indispensable condition of admission to practise in the Ecclesiastical and Admiralty Courts of Doctors Commons: and from these courts, therefore, all persons who are not members of the Church of England are at present entirely excluded. The Royal College of Physicians makes the degree of doctor of medicine a condition of admission to its fellowships: and the Universities of Oxford and Cambridge are the only universities in England whose degrees can procure from the College of Physicians permission to practise in London or within seven miles of it. These are the privileges in the legal and medical professions attached to degrees conferred by the Universities of Oxford and Cambridge. But after all these privileges seem to me to be of little importance in comparison with the degradation which is sustained by dissenters from the established faith, through these religious tests of fitness to receive education! The privileges assigned to degrees in Oxford and Cambridge by the various bodies which I have mentioned have been assigned with the object,—and with certain limitations, I think, a most proper object—of securing the liberal education of members of the learned professions. Why, then, I ask, are dissenters from the established faith to be excluded from this liberal education which is so highly prized? The universities also return each of them two Members to this House, who are to be considered as the representatives of the learning and the higher civilization of the nation: and it does appear to me even a greater grievance than any of those which I have yet enumerated, that all dissenters from the established faith, contributing in so great a degree to the wealth of the country, and furnishing so many names associated with the literary and scientific glory of the country, should be entirely excluded from a share in this representation. I do not seek, Sir, to go into the history of the religious tests which obtain in the universities: their history seeming to me to be irrelevant to the consideration of their expediency. Some of them were established on a recommendation from the Crown, the authorized visitor of the universities, some of them without any such recommendation: some of them have been imposed by an act of the governing bodies in the universities, others have not received this sanction. Others again have been imposed by act of Parliament. The oaths of allegiance and supremacy, which in both universities are required to be taken before every degree, were imposed by the Act of Uniformity. I may observe, by the way, for the information of those who so loudly proclaim the freedom of the colleges from parliamentary control, that the same act of Uniformity deals compulsorily with the colleges, regulating the form of worship in college-chapels, and prescribing a declaration of conformity to the liturgy of the Church of England from every fellow, tutor, and chaplain of a college. If it be so then, that the legislature, in former times, when principles of religious intolerance universally prevailed, imposed religious tests for admission to degrees, I am surely entitled, now that such principles are universally condemned, to ask the same power which established the tests to repeal them; and if it be also, that the Legislature, at a time when danger to the State was apprehended from a Roman Catholic, interfered even to exclude him from colleges, the greater number of which in both universities Roman Catholics have founded and endowed, I am surely entitled, confining myself for a moment to but one of the many religious sects for which I plead, to ask the Legislature to restore the Roman Catholics of this country to a participation in benefits, which the universities are in a great measure enabled to dispense through the pious munificence of ancient holders of their own faith. I will now briefly sketch the plan to which I am about to ask the assent of the House. I propose first of all to abolish all the religious tests imposed in both universities, whether at matriculation or previous to degrees; except in cases of degrees in divinity, though this exception is unnecessary, as no one can take a degree in divinity, without first being a clergyman of the Church of England. In making this proposal, I cannot help calling to my aid the authority of the Bishop of London against requiring from laymen subscription to the thirty-nine articles. In a debate in the House of Lords on the 26th of May, 1840, on the presentation of a petition by the Archbishop of Dublin from sixty members of the Church of England, many of whom were clergymen, for an alteration in the thirty-nine articles, the Bishop of London observed that,

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* From a corrected report.

> "Subscription is not required from all the members of the Church, but only from the ministers of the Church." *

And as certainly subscription to the articles is required of every member of the University of Oxford, this observation of the right rev. Prelate's must rather be taken as his opinion of what ought to be, than as a statement of what is. I will ask the House to listen also to the opinion of another Prelate, whose name will, I am sure, command the respect of both sides of the House, the present Bishop of Salisbury, on requiring subscription to the articles from laymen. In a pamphlet published by him in 1835, on the question of admitting Dissenters to the universities, in which the principle of such admission is defended, but in which so many practical difficulties, so far as the University of Oxford is concerned, are enumerated, that the fair account of the pamphlet (and I wish to give no other) is that the admission of Dissenters is rather wished for than actually advocated, I find the following passage:—

> "I consider indeed an objection to attach to the subscription to the articles, either at matriculation or at our degrees, quite independent of all consideration of the amount of knowledge, or exact accordance of opinion of the persons called upon to subscribe. In the first place, as subscription to the articles is made the solemn test of the opinions of those who are admitted into holy orders, the attaching the same obligation to other less sacred circumstances, tends to lessen the serious sense in which it is viewed at ordination. But besides this, the subscription to the articles is an obligation which our Church in no case imposes upon its lay members. Laymen are admitted to the highest acts of Church-membership—to participation in the sacraments—without being required to sign the articles at all. Assent to the creed and the catechism is all that is necessary in order to confirmation. Confirmation is the due preparation for the sacrament of the Lord's Supper. Though our Church requires a declaration of full assent to all its articles from those who are admitted to the sacred functions of the ministry, it does not seem to have intended to institute so rigid a scrutiny into the opinions of its lay members. All it requires of them is, that they be willing to use its liturgy and join in its communion. And it seems on this ground not reasonable to impose on laymen, as a test of fitness for our degrees, a more scrupulous and definite conformity of opinion than our Church requires, in order to admission to its most sacred rites."*

The religious tests for degrees in the University of Cambridge being got rid of, I believe there is nothing whatever in the examinations of that university to offer any obstacle to a Dissenter. But in the University of Oxford the examination for the bachelor of arts' degree includes an examination in the rudiments of religion; and the same statute which regulates this examination requires that the tutors in the colleges should instruct the undergraduates in the thirty-nine articles, by way of preparation for their theological examination. I propose to alter this university statute, so as to make the theological examination a separate one; and I shall provide for the exemption of Dissenters from the theological examination, and the collegiate theological instruction, on application made to the Vice-Chancellor, with a statement of a religious objection, by the parent or guardian of an undergraduate if he is under age, or if of age by the undergraduate himself. The only other proposal which I shall make is for the repeal of so much of the Act of Uniformity as renders the use of the morning and evening services of the Prayer-book compulsory every day in the college chapel. It will still be left to the option of the colleges to retain the use of these services if they think proper. But they will be enabled to adopt shorter forms of worship, which may be of a more comprehensive character, and so facilitate the admission of some Protestant Dissenters without necessitating exemptions from chapel: and this proposal is recommended by other considerations, which I will state, not in my own words, but in those of one of the highest living academical authorities, Dr. Peacock, the Dean of Ely:—

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* Hansard, Vol. liv. p. 560, (Third Series.)

* A Review of the State of the Question respecting the Admission of Dissenters to the Universities, by the Rev. E. Denison, M A., 1835, p. 51.

"The Act of Uniformity prescribes the use of the morning and evening prayers of the Church, without addition or diminution, in our college chapels, and its injunctions are almost universally obeyed. But it may be seriously doubted, whether the use of shorter forms of prayer, except on Sundays and festivals, such as have been sanctioned by the Bishop of London at the East India College, Haileybury, and in King's College, London, so as to make those services approximate in their character to family worship, might not be advantageous to the cause of religion and good order. It is quite true that the public worship of the Church is nowhere more decorously or more solemnly performed than in our college chapels; but those persons who have been most intimately concerned with the superintendance of young men at the university will be best able to appreciate the painful measures which are not unfrequently necessary to secure regularity of attendance. There is little doubt but that the substitution of a shorter service would remedy many evils of a very embarrassing nature. We are quite aware that the subject which we have ventured to touch upon is one of great delicacy and difficulty, and that the change which we have recommended may be more safely adopted than discussed. But the question is one of great practical importance, both as regards the maintenance of discipline and the developement in the minds and habits of students of feelings of respect and reverence for religion, and for the beautiful and comprehensive public services of our Church; we feel satisfied that the proposed change would be found to be favourable to both."*

I may mention that this provision of the Act of Uniformity applies only to the colleges in existence when it was passed: and that in Downing College, Cambridge, a recent foundation, a shorter form of daily worship is in use. It will be thus seen, Sir, that I do not in any way propose to deal compulsorily with the colleges. I hope and believe, that when the universities no longer impose religious tests as conditions for their degrees, colleges will be found ready to exempt Dissenters from attendance on chapels and religious lectures. In the University of Cambridge such exemptions have been already frequent. In my time, there were Roman Catholics in Christ's College who were exempted from chapel. There have been Roman Catholics in Magdalen College, similarly exempted; and in my time there was a Jew in that College also exempted from chapel, though he afterwards migrated to Trinity College, and was there obliged to attend chapel. In Trinity Hall a Mahommedan resided for some time, and was not required to attend chapel. In both universities it is well known, that there are some among the smaller colleges—several in Cambridge, fewer in Oxford, owing to the regulation which there requires undergraduates to reside within their colleges, and which thus necessarily limits the numbers—to which it is a matter of very great importance to increase the number of their pupils, and which, sometimes, I am sorry to say, show their anxiety to do this by taking undergraduates who have been obliged to leave other colleges for not conforming to their discipline, or by a general laxity of rules, and particularly rules with regard to chapel. There is one feature of several of the smaller colleges in Cambridge which I cannot refrain from mentioning. They allow fellow commoners, who are young men of wealth or rank, wearing laced gowns and paying more dearly for everything, to attend chapel less often than other undergraduates. I have in my hand a copy of the rules of one college, which I will not name, as it is unnecessary, and I have no wish to give unnecessary offence in any quarter, embodying this distinction, and actually hung up in the college antechapel:—

"Every undergraduate, being a pensioner and sizar, shall not be absent from chapel more than three mornings and two evenings in the same week. Every fellow-commoner being an under graduate shall be present at chapel four evenings in a week, and Sunday shall be one of them."

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* Observations on the Statutes of the University of Cambridge. By George Peacock, D. D., V. P. R. S., and Dean of Ely, p. 126, (Note.)

So that a fellow-commoner goes only four times when every other undergraduate is obliged to go nine times a week to chapel. I may mention that this is a college having a very fair reputation in the university, and by no means one of the smallest colleges. I think it will be generally agreed, that a remission of rules, thus conceded to wealth and rank, would be much more creditably granted to meet the conscientious objections of Dissenters, and in furtherance of the wish of the Legislature and of the principles of religious liberty. I hope the first effect of the passing of my bill would be to lead the smaller colleges and halls in both universities to seek an increase of their numbers by opening their doors to Dissenters. I do not see what there is, even in Oxford, to prevent a college or hall, happening to have liberal authorities, from at once granting Dissenters the required exemptions. I think I can mention such a hall, in which I believe the discipline is very strict, and which possesses very able tutors, I refer to St. Mary Hall, of which Dr. Hampden is Principal, and of which the Vice-Principal, Mr. Hayward Cox, is also a person of the most liberal views: and I should expect St. Mary Hall at once to exempt Dissenters from attendance at chapels and from college theological lectures, when there is no longer a university statute requiring its tutors to instruct all the undergraduates in the thirty-nine articles. I hope and believe, Sir, that colleges will be found in both universities, ready to meet the Legislature fairly, and thus rendering it unnecessary to exert our right to interfere compulsorily with the colleges for this purpose. I may expect to hear, that if religionists of every description are admitted into the colleges, the necessary consequence must be a substitution of a system of education from which religion is excluded, for the present religious Church of England system, and that the members of the Church of England in this country, whose interests are to be considered as well as those of Dissenters, will thus be deprived of the means which they now possess of securing for their sons an education based upon the principles of their own and the Established Church. I will not deal with this objection on any broader ground than by suggesting, that if the admission of Dissenters to the colleges is to be effected by granting them special exemptions from religious lectures and examinations, and from attendance on chapels (and in this way their admission may be effected, and in this way I look to effecting it), the religious lectures and worship will remain intact for those whose consciences will allow them to attend, and the members of the Church of England will continue to enjoy the religious advantages, which they prize, of the College system of education. I think it will not be said by the authors or supporters of the Factories' Education Bill that a system of education, in which religious instruction according to the principles of the Church of England is secured for members of the Church of England, but in which all Dissenters are exempted from attendance on this instruction, and Roman Catholics, and though they have not yet been mentioned in the Factories' Bill, I hope I may add Jews, are exempted from attendance on a very short and simple morning and evening worship of which yet their consciences would not approve, is an irreligious system of education. I must say that whatever arguments may be urged in favour of a system of elementary education, which may combine the attendance of poor children of parents of every religious denomination, a very much stronger case may be made out in favour of a combined system of education in the Universities, where the age of the pupils constitutes a strong presumption that the greater part and the fundamental part of their religious education has been already completed, and where their position in life constitutes a strong presumption also, that whatever special religious instruction may be proper, will be provided by their wealthy parents for those who cannot avail themselves of the Church-of-England instruction of the Colleges. I hope it will not be said, though I know it has been said before, that the mere association in the colleges of young men of different religious creeds will lead to indifference to religion —to discussions on religion, and thereby to scepticism, indifference and infidelity. It must be a poor faith that is scared by this danger. But has this been found to be the consequence in Trinity College, Dublin, to which Protestant Dissenters have been always admitted, and Roman Catholics ever since the year 1793? I am informed that in King's College, in London, which was founded, as we all know, under the immediate auspices of the Church of England, and on the most exclusive principles of religious instruction, and of which the hon. Baronet, the Member for the University of Oxford (Sir R. H. Inglis) and the right hon. Gentleman, the President of the Board of Trade (Mr. Gladstone) are members of the council, that Dissenters, and Roman Catholics, and Jews are admitted without difficulty, not being required to attend the morning and afternoon prayers, or the lectures on religion, if they do not matriculate. Of course in a college where students do not reside within its walls, but all over London, matriculation can only be a form; and I believe the only practical advantage of matriculation in King's College to be that the matriculated student pays a few pounds less in fees to professors. I hope the religious and Church of England character of King's College has not undergone deterioration in consequence of this admission of Dissenters and Jews, to associate with Churchmen and Christians. I might appeal also to the example of the University of Cambridge. To the example of the University of Oxford I cannot appeal. But I can appeal to Oxford, if it be necessary, for a most striking example of the uselessness and mischievousness of all these declarations of faith and subscriptions to articles. Why, Sir, at this very moment, in that university, fenced in as she is on all sides by subscriptions to the Thirty-nine Articles, there, where, if there be any virtue in these subscriptions, we ought to find a very chosen temple of orthodoxy, there is a band of men daily on the increase, members of the University, clergymen, fellows of Colleges, doctors of divinity, unceasingly engaged in propagating, with brilliant ability, doctrines which are believed by the great bulk of the lay and clerical members of the Protestant Church of England to be fraught with the utmost danger to the reformed faith of this country,—men whose doctrines have been denounced by a majority of the bench of bishops, and whose most remarkable series of publications was virtually suppressed by episcopal authority,—men who have subscribed the articles at matriculation, at taking their bachelor of arts' degrees, at taking their master of arts' degrees, on entering the Church, on taking their degrees in divinity, but any one of whom, if the right hon. Baronet opposite, in the distribution of the ecclesiastical patronage which he administers, were to elevate to a see, or even to appoint on a vacancy to succeed the heretical Dr. Hampden as Regius Professor of Divinity in Oxford, there would most assuredly be a cry, from one end of the kingdom to the other, as compared with which the Hampden cry, raised by these Newmanites themselves, would probably be remembered as a whisper. And now, Sir, being ignorant of the course which will be pursued by the Government with regard to the motion with which I shall conclude, I cannot but derive hope of their support, at least to the extent of granting me leave to bring in this bill, from the recollection of the part taken upon this question on a former occasion by a leading member of the Government, the noble Lord the Secretary for the Colonies (Lord Stanley). It will be remembered that, in the year 1834, a petition was presented to this House by the present Lord Monteagle, signed by upwards of sixty resident Masters of Arts at the University of Cambridge, praying for the admission of Dissenters to the Universities. The presentation of that petition led to a debate, in which I find that the noble Lord took a part, departing, as he said, from his usual practice of not speaking on petitions, but induced to depart from it by the great importance of the subject, and his anxiety,

> "Both as a Member of his Majesty's Government, and also as a Member most anxious to consult and support what I deem the real and true interests of the Established Church, and of the religion of the country, shortly to express my entire, unequivocal, and unhesitating concurrence in the prayer of this petition."*

The noble Lord applied himself principally to answering the arguments of the right hon. Gentleman who now sits next him, the Chancellor of the Exchequer (Mr. Goulburn). That right hon. Gentleman had said, that a Dissenter might receive his education at Cambridge, and that after all the education was the important matter, and not the degree, and it could hardly be called a grievance that the Dissenter was unable to add to his name the letters denoting a degree. What said the noble Lord?

> "Now, if this were all, I should say it was

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* Hansard, Vol. xxii, p. 633, third series.

a real substantial grievance, and if this be not all, then I say the whole course of the hon. Gentleman's argument is overthrown; for if under this system, there is a restriction without any substantial reason, why should that restriction be continued as a degradation upon any class of the people of this country?"

And again,

"That is a practical grievance, and if it be not a grievance, it is certainly a practical degradation. I am most anxious to afford the Established Church every protection and support which can and ought to be given to it, consistent with justice to all classes of the subjects of this kingdom; but of this I am confident that it will not be best maintained by keeping up a system of injustice and exclusion; and if I may be allowed to express an opinion on the subject, I will frankly say, that, in my mind, the main cause of the spread of dissent has been, amongst the lower classes, the insufficiency of the education and religious instruction, with respect to the tenets of the Established Church, and amongst the higher classes, by that, strict line of exclusion, which those who are desirous to protect the Church have drawn around it. I am satisfied that if you intend to attach particularly the higher classes of the dissenters to the Established Church, you can take no more effectual course to gain that object, than giving them full participation in the same civil privileges, and admitting them to the fullest, freest, and most unreserved intercourse with the members of the Church of England, in our general and national institutions. This question of exclusion is not confined to the University of Cambridge, but I am sorry to say carried to a much greater extent in the University of Oxford. . . . . . As a conscientious member of the Church of England, I cannot but lament that such regulations are enforced in that institution, as render it necessary that young men of sixteen or seventeen years of age should be called upon at their entrance to subscribe to articles which they never read,—which nine out of ten, I will answer for it, have never read,—and upon which, if the tenth should entertain any conscientious scruples, he is instantly over-ruled, if not satisfied by the obligation to subscribe them in order to obtain admission. I do say, that such a system is the most injurious to the interests of the university. I would go further with regard to the system of discipline at Oxford and Cambridge, and unhesitatingly express my entire dissent from the regulation of a compulsory attendance of the students day after day, morning and evening, in the chapels and the different colleges. When we look at the way in which this regulation is complied with, and see youg men rushing forward in the morning to see if the gates of the chapel are opened, and in the evening returning from divine service to their wine, I say such a system is better calculated to deaden all feelings of religion, than the admission of all Dissenters, be they ever so numerous, to the honours of the university."

This was on the 25th of March. A bill was afterwards brought into the House by the hon. Member for Kendal (Mr. G. W. Wood); and this bill came to a second reading on the 20th of June. In the meanwhile, the noble Lord had differed from his Colleagues on the question of legislative interference to effect a new appropriation of part of the revenues of the Irish Church, and had ceased to be a member of the Government. He took part again in this discussion on Mr. Wood's bill, stating that circumstances had recently occurred which led him to feel apprehensive for the security of the Established Church, and which, while he adhered to the principle of the prayer of the Cambridge petition, made him very anxious to state the conditions on which he should vote for the second reading of Mr. Wood's bill. He would require securities against the relinquishment of religion as a part of college education, and against the admission of Dissenters to a share in the government of the colleges, and the professorships of the universities. And here again the noble Lord said, after having spoken of the more liberal practice of the University of Cambridge,

"I know that at Oxford the practice is different: and being a member of that university, I confes that I should be most glad if I could see its practice, as regards the admission of students, made more conformable to that of Cambridge. At Oxford, it is necessary that every student on entering should subscribe the thirty-nine articles. That is a practice which I cannot but condemn. I cannot bring myself to concur in the ingenious glosses which some hon. Gentlemen have put upon that compulsory subcription to the thirty-nine articles. I cannot put upon it the gloss that it is a mere matter of form, that no real adhesion to the articles is implied until the party shall have been instructed in their meaning; in fact, that the subscription signifies only that the student is willing to receive an education at the university."

The gloss thus denounced by the noble Lord proceeded, I may mention, from on less an authority than the Bishop of Exeter. My bill, Sir, satisfies the conditions then required by the noble Lord. The principle of my bill is that which, after his secession from the Government in 1834, he supported by his speech and by his vote. The proposal which I have sketched to the House, will give to the Dissenters no part in the government of the colleges and in the professorial instruction of the universities. But I am aware that circumstances which, in three months, led the noble Lord to conceive so much timidity about a proposal which in the first instance he had so eagerly embraced, may in nine years, during which he has formed and cemented his connexion with the party opposite, have worked an entire change in his opinions upon this subject. The noble Lord will of course be indifferent alike to my approval of his sentiments of former days, and my dissent from any opinions which he may at this moment entertain; but as I have quoted thus largely from him, certainly not with any unfair intention, but in the sincere hope, that his former views may at least incline him to be more favourable to my proposal than, perhaps, most Members on the opposite side, I trust he will not receive with scorn, what I am about to say, in no spirit of presumption, but to prevent the possibility of my silence being supposed to imply the contrary, that whatever course the noble Lord may take to night, whether the modified course that he took on the second occasion to which I have alluded, or a course totally at variance with his former one, I have not intended, and should only be ashamed of myself if I were to express a doubt that that course will be taken honestly, and in all sincerity. I submit then this motion to the House, ignorant of the course which her Majesty's Government may pursue, but venturing to ask for it—earnestly, though humbly, to ask for it—that fair and attentive consideration which is due to a measure professing to relieve Dissenters from the established religion from restrictions and disabilities unnecessary for securing to the nation a continuance of the advantages, whatever they may be, of an established church; and which restrictions and disabilities, it will, therefore, behove those who oppose the motion to prove to be indispensable to the maintenance of the Established Church, or, if they cannot prove that, to admit to be unjust. Sir, it is not by the number or value of the privileges attached to these degrees that I would claim to have the importance of this motion to be measured—it is not even by the advantages, great as I hold them to be, of the education which the universities would be enabled to afford to those who are now restricted to smaller sectarian seminaries, or to that metropolitan college which has of late years been founded on the noble principle of giving education alike to the holders of all religious creeds, but which, much as it has done, and much as it may do, can never give or compensate for the advantage of residence within college walls in the academic seclusions of Oxford or of Cambridge,—neither is it, Sir, by the circumstance of the distinction degrading to Dissenters involved in this denial of university degrees, which distinction, even though it were itself the smallest, would yet in principle be as important as the greatest, and, in the pointed words of the noble Lord, (Lord Stanley) even though there be no practical grievance here, there is a practical degradation;—these, Sir, are, after all, each and all of them, small considerations, in comparison with the great and extensive benefits — benefits which will operate among every class, and in every corner of the country, of mingling together in our chief seats of learning and education good and conscientious men of every creed; so that they, who by their rank or wealth or learning are enabled afterwards to influence public opinion, and help to shape the mind of their age, taking, perhaps, a direct part in legislation, or even otherwise exerting a not less powerful, because unseen, influence upon its course, shall have learnt early to see the good that may dwell in those whose religious forms and doctrines are different from their own; and the wealthy and powerful and instructed among our Dissenters will cherish good-will towards the Church, and Churchmen hold tolerant and generous feelings towards Dissenters, all having dwelt and held converse together in the years of their youth, and at a time when the mind receives its character, and the feelings are warmest, and the friendships which are formed are afterwards least given to fade, and within those walls towards which affection and gratitude are wont to linger to the latest, shall have practised towards each other the lessons of Christian charity and religious toleration. There is, at this moment, Sir, a measure depending in this House, which has furnished a most striking and lamentable illustration of the jealousies and angry feelings ever ready to be awakened between Churchmen and Dissenters, and of their powerfulness to obstruct, and it may be to foil, the Legislature in its desire to give knowledge to a portion of the ignorant millions among the poorer classes of this country. The right hon. Baronet opposite (Sir James Graham) has spoken of the reception which his measure has met with, and drawing a picture of the theological animosities which have encountered it, and which still, notwithstanding his concessions, menace its defeat, has described this land as so teeming with the elements of religious bitterness and strife, that the sceptic might point to it in derision as a Christian land in which there is an almost universal violation of Christian precepts, and where, in place of obedience to the divine injunction that we should love one another, religion itself is the never-failing source and means of mutual hatred. At a time, then, when this evil of theological animosity is at its height, and has arrested your attention by the magnitude of the mischief which it threatens, I ask you to go with me and seek its cure at the fountain head. From the two ancient universities of the land, go forth, year after year those who are hereafter to be the magistrates of the country, its legislators, its schoolmasters, above all, its priests who in every town and every hamlet shall conciliate by their virtue and tolerance, or by their bigotry inflame, dissent; and if you would, indeed create an influence which shall soften religious asperities throughout the nation, descending and trickling down from the highest even to the lowest order of our society, let there henceforth mingle and seek learning together Churchman and Dissenter, Protestant and Catholic, Christian and Jew, in those venerable halls which, whether for good or for evil, form the minds and moral dispositions of those who are England's best and chiefest hope among her youthful sons. I have now only to thank the House for the great indulgence which it has shewn me, and to move for leave to bring in a bill—

> "To abolish certain oaths and subscriptions now imposed in the Universities of Oxford and Cambridge, and to provide for the extension of education in the universities to persons who are not members of the Church of England."

The *Chancellor of the Exchequer* said, that although he differed entirely from the views taken by the hon. Gentleman on the subject of the present motion, yet he followed him with peculiar pleasure. He recognised with the highest gratification the abilities which the hon. Gentleman had displayed in bringing forward his motion, and the moderation with which he had supported it. He was proud to acknowledge the hon. Gentleman, a Member of the University, to which he himself belonged, and to point at him as an instance of the advantages which the education, as it existed at that university, afforded —advantages which the hon. Gentleman at the outset of his speech was himself so ready to admit. The hon. Gentleman had asked them to look at the universities of other countries; at the universities of America, France, and Germany, and had justly claimed for the universities of his own country a superiority over them all. But to what cause did the hon. Gentleman attribute that superiority? In the universities of the countries which he referred to there existed, as the hon. Gentleman was well aware, that admixture and perfect equality of religious persuasions, and consequently, that absence of religious control which the hon. Gentleman was anxious to make the rule in the universities of England; and it was not too much to infer, that if, with men of equal learning to direct their studies, the foreign universities did not afford an education corresponding to that of the universities of this country — the admitted superiority of the education received at the universities of England might be in some measure attributed to the religious discipline which they maintained, and to that religious teaching without which no satisfactory system of education could exist. The hon. Gentleman could not have forgotten the discussion which occupied the House ten years ago; but he seemed to have forgotten that the circumstances were now different from those under which the House was then induced to assent to the bill brought in by the hon. Member for Kendal. The arguments then insisted on by the right hon. Gentleman (now Lord Monteagle) who held the office which he (the Chancellor of the Exchequer) had the honour of holding, was, that there was then no university open to Dissenters, where they might obtain these academical honours, the want of which they thought a great grievance. This was the ground of complaint, and the chief argument in support of the bill. Since then that argument had been removed. Parliament had come to the aid of funds provided by private individuals, and the

University of London had been established, with the power of conferring degrees in art and medicine, and of admitting Dissenters to those advantages from which their exclusion had formerly been considered a grievance. Formerly the complaint was, that Dissenters who studied for the bar studied under great disadvantages in consequence of their exclusion from the universities; but no such grievance could now be alleged, for at one at least of the inns of court, as he had been informed, the degrees of the London University were now accepted, and held to be as valid as those of the sister universities. There was indeed the College of Physicians, but the hon. Gentleman must surely be aware, that a considerable relaxation had taken place in the rules of that college since 1834, and at the present moment a farther relaxation of those rules was under discussion. But the University of London had the power of conferring degrees in medicine, the want of which in 1834, was insisted on by the Dissenters as a peculiar grievance. The advantages of college education at present, as they ever have been at Cambridge, were open to Dissenters. Of this the hon. Member for Leeds was an illustrious instance, who, having not only honourably distinguished himself, while at Cambridge, but at the same time secured the good will and respect of all his contemporaries, had since attained high and deserved eminence in public life. The extent to which the hon. Member (Mr. Christie) was prepared to change the practice of the universities, was nominally extremely limited. He would exempt Dissenters from attendance at the college chapel, he would exempt them from attendance at lectures bearing reference to theology. But if a college were allowed to exempt any one from such attendance who merely alleged a difference of religious belief, the consequence might be, that lads just sent from school, impatient of restraint, and not very willing, perhaps, to attend any lectures from which they could obtain exemption, would have it inculcated upon them by their Dissenting friends, that by stating a difference of religion, they might at once be relieved from this irksome attendance. He thought it would be unwise legislation to offer in this way a direct premium to those who being idle or desolate, felt an unwillingness to conform to the discipline of the university. To open in this way a door for the evasion of two great rules of college discipline, might, he thought, be productive of enormous evil. The hon. Gentleman proposed to retain the rules that at present existed against allowing Dissenters to share in the endowments of the universities. He would give a Dissenter the power of obtaining the degree of bachelor of arts, but would exclude him from a fellowship; but when the Dissenter saw those who had been struggling with him in the race becoming fellows while he was still excluded from all such offices of emolument, did the hon. Gentleman doubt, that the Dissenter so disqualified, would not soon complain of the injustice done him in attempting to put him off with a barren honour, and debarring him from the advantages enjoyed by those who had struggled with him for the attainment of that honour. The hon. Gentleman would repeal so much of the Act of Uniformity as related to the performance of the Church service in the college chapels. He could only say, that he considered a college chapel in the light of a church, and he did not see on what ground the distinction could be rested. The hon. Member indeed observed, that at some colleges there were already exemptions from "chapels" in favour of men of rank; and he asked why these exemptions should not be extended to Dissenters. The hon. Member was perhaps not aware that, first, these privileges did not exist in the larger colleges, which included the great bulk of the students; and secondly, that they had their origin at a time when it was desired to attract the influx of men of rank to the universities. Certainly, he (the Chancellor of the Exchequer) did not conceive that the existence of such an exemption was of any benefit to those who possessed it, and he would be much more disposed to abolish than to extend to another class. He was not aware, however, that the practice had been retained by any of the colleges. In the larger ones, he believed it had been abolished, and, at all events, he knew that in the college with which the hon. Gentleman and himself were connected, no such distinction was admitted. All classes of students were equally required to attend chapel. If these distinctions after they had been generally abolished, continued to be retained in any of the smaller colleges, so far was he from thinking that the circumstance should be admitted as a precedent, that he thought it, on the contrary, an additional reason why the usual discipline should be more strictly enforced. The hon. Member would have the whole Church service retained in the college chapels on Sundays, but on week days he would introduce some formal prayer in which all sects might concur. On Sundays, however, he would have all classes of students at liberty to absent themselves. He did not believe, that the Dissenters would themselves approve of such a distinction. He (the Chancellor of the Exchequer) knew, that they had with himself an equal veneration for the observance of the Sabbath, for the dedication of it to public worship, and to religious improvement, and he was confident that they would reject a system, the effect of which would be to exclude them from the college place of worship on the Sunday, and to leave their sons on that particular day without any religious instruction, beyond what a young man might provide for himself. He thought the system at present existing was much better; and that it was more to be wished, that Dissenters, retaining their opinions on points of doctrine, but able with a safe conscience, to attend the Church of England service, for with the majority of Dissenters it was a service which they did not dislike, and to which they were willing to conform—should go through the university, conforming themselves to that part of its discipline, than that they should attempt, by framing a set of prayers that should be suited to every religious denomination, Pagan, Jew, or heretic, to run the risk of turning away the mind of a Dissenter altogether from religious instruction. Such a course as was proposed by the hon. Member, was not in accordance with the statutes of the universities, and with the wills of the pious men by whose bequests the universities received the means of usefulness. It was the intention of the pious men who founded the different colleges, that there should be provided in them the means of a good moral education, and that literary and scientific education should be combined with instruction in the established religion of the country. [*Cheers.*] The noble Lords cheer meant that they were instituted in Popish times. He might take the liberty of saying with respect to this point that the noble Lord was not very correctly informed as to the greater part of the endowments which the University of Cambridge possessed, the greater part of these were given about the time of the Reformation, and confirmed by Queen Elizabeth. But suppose the case had been otherwise, the noble Lord surely did not fall into the vulgar error, that because the Roman Catholic religion had been reformed, and because we professed the religion so reformed, that we therefore had abandoned the Christian faith, which had been before inculcated, or that when a person had left his property for instruction in that which was at the time the religion of the state, there was any violation of that principle in it continuing applicable to the religion of the state, when from that religion had been removed the abuses by which it had become disfigured. If this was the noble Lord's position, he might give him the answer which he had seen in some book to a question put by a Roman Catholic to a Protestant, "Where was your religion before the time of the Reformation?" To which the reply was, "Where was your face before it was last washed." The universities were instituted for inculcating moral and religious education; those who founded them knew full well that you might imbue the mind with various learning, and instruct it in every branch of knowledge, and yet leave its training imperfect. They took care, in instructing the mind, to soften and improve the heart, and to make provision as their statutes set forth, *ad gloriam Dei*—that was their first object. Now this they did, not because those who were there brought up were to be the instructors of the people in the doctrines of the Established Church, but because they deemed it essential to the welfare of the state that religion should be taught as a part of the education of the people. If religion were to be taught, some particular form of religion must be taught. You might, if the religion of the Church of England were deemed offensive, adopt the Presbyterian or any other which might for the moment be more popular; and he would say that, much as he valued the institutions of the Church of England—much as he thought her services were superior to those of any other church, he would prefer that some other form should be adopted, rather than men should be sent to the universities to be educated, without that knowledge of the Christian faith, which was essential to their individual happiness and public usefulness. He said, therefore, that, teaching the religion of the state, unless you required, on the part of those who went there conformity to that religion, implying a necessity of instructing themselves in the doctine on which it was founded, you would not fulfil either the purpose for which the universities were erected, or confer the desired benefits on the individuals who were educated in them. For the reasons which he had thus shortly stated, he did not think it advisable to place over institutions which were bound to teach the religion of the state—as persons who were to direct and govern their proceedings—those who dissented altogether from that faith. The hon. Gentleman talked of a degree of the university as if it were a matter of honour; he told the hon. Gentleman it was an effective instrument for good or evil, according to the hands in which it was placed. The masters of arts formed the senate, the governing body of the university. They passed regulations for the maintenance of discipline, and the arrangement of studies, and determined the nature of the instruction to be given; and it was owing mainly to their exertions in later times that we had survived that dead period of our history, when religion appeared almost forgotten, and when the universities seemed to have fallen off in the study of theology. It was in consequence of the exertions of those who had attained degrees that religious instruction had risen to the point it had now attained, and every real student who had gone through the usual course was qualified to give a reason for the hope that was in him. He saw no essential benefit which was to be attained by carrying out the views of the hon. Gentleman opposite, especially when Dissenters might obtain what the hon. Gentleman considered the barren honour, the title of a degree, with equal ease, at a university of their own. But they would be debarred by the hon. Gentleman's bill from the enjoyment of those endowments which the university offered to them; they were necessarily debarred, although he had not the least doubt that if the House were to yield to his arguments, and grant them the honour of those degrees, and with them the possession of substantial power in the university, you would either have the governing body constantly agitated by attempts to overthrow the different regulations which stood in the way of the attainment, by a Dissenter, of the advantages of those endowments, or you would have such difficulty in laying down a course of religious instruction which would be universally palatable, that you would effectedly defeat the objects for which university studies were intended. In that belief he should resist the motion of the hon. Gentleman. He felt unwilling, on this as on any other occasion, to do anything that might be either painful or disagreeable to those from whom he differed in religious opinion; but when he placed, on the one hand, the feelings of private persons, however respectable, and on the other the interest of those bodies to which we owed the character of the men who formed our Legislature and directed our councils, he could not permit himself to be diverted from the protection of those far higher interests by the prospect of affording gratification to individuals.

Mr. *T. M. Gibson* said the right hon. Gentleman had commenced his speech by paying a well-deserved compliment to his hon. Friend for the ability with which he had brought this subject forward. The right hon. Gentleman had also paid a compliment to the acuteness of his hon. Friend and the weight of his arguments, by not having replied to them. He must say, with all respect, that he did not think the right hon. Gentleman had given any sufficient answer to his hon. Friend's reasoning. His hon. Friend claimed, on behalf of dissenters, the privilege of admission to degrees in the Universities of Oxford and Cambridge; and the right hon. Gentleman said they had already the opportunity of taking degrees in the University of London. His hon. Friend's argument was, that bringing persons of different creeds and persuasions together in the same seminaries tended to put down sectarianism, and knit men together in one universal spirit of Christian brotherhood, while by forcing a necessity of educating all Dissenters in one university, and all the churchmen in another, you perpetuate sectarianism and all the evils which his hon. Friend had brought forward this measure with a view to obviate. He must observe, however, that there was considerable force in the arguments of the right hon. Gentleman with respect to the question of emoluments. He would say that Dissenters had a rightful and just claim to share in the emoluments as well as in the honours of universities. Were there not lay professorships and fellowships unconnected with divinity and theology? Were there not appointments which were conferred on men eminent for scientific attainments or the depth of classical learning? And in these days, when we had fully recognised the spirit of religious liberty, and admitted members of all religious persuasions into that House, to make laws for this country, and to hold places of honour and profit in all departments of the state, what reason was there in saying that men who dissented from the established church in matters of religion should not be competent, if they had the scientific capacity, to fill appointments and professorships which had no connection with theology? He was prepared to advocate for the dissenters their right to claim by law the most full equality with members of the Church of England, and to participate in all those lay fellowships and endowments which members of the Church of England could hold. He said, that in the eye of the law the universities were lay incorporations, not spiritual incorporations; they were viewed by the constitution as lay incorporations, intended for the purpose of preparing men for all the learned professions, and not exclusively for the profession of the Church. The right hon. Gentleman said Dissenters could take degrees at the University of London, but they could not enjoy those endowments and emoluments which existed in the Universities of Oxford and Cambridge, on which they were conferred, for the benefit of the whole country. There was now beyond the reach of the non-conformists something like an amount of 80,000*l.* or 90,000*l.* a-year, intended for the reward of scientific ability, and in which they had a right to participate; whereas the London University had only 1,000*l.* a-year to dispose of. The right hon. Gentleman seemed to think it an error to assert, that the universities were not for the purpose of teaching religion to the youth of the country. He was prepared to maintain that proposition. The right hon. Gentleman could not show any authority in the statutes, that the universities were for the especial purpose of training up persons in the established religion. Neither those of Edward 6th, nor those of Elizabeth contained any provision for the teaching of religion, as regarded the order of study; there were regulations for attendance at the chapel, but not for teaching theology as a part of the studies. They, expressly, said, that previous to the degree of Bachelor of Arts the study of theology was not to begin. And what was the existing practice of the universities? Did they teach religion? Did they mean to say, that attendance at chapel, which every student stayed away from if he possibly could, was religious instruction? Was it not well known—most hon. members having passed through a university course—that the compulsory attendance at chapel, morning and evening, had rather a tendency to alienate the mind and feelings from religion, and that it was viewed by the scholars of the universities as merely a part of the discipline of the college? If a student were absent at late hours, or had been guilty of intoxication, he was compelled to go to chapel more than the usual number of times, so that attendance at divine worship under such circumstances, was likely to be looked upon as something irksome, disagreeable, and in the nature of a punishment. Compulsory attendance at a chapel could not, therefore, be considered in the light of religious instruction; and he was of the opinion so ably expressed by many of the leading divines of the country, that, as a part of the discipline of the college, it might very well be dispensed with. The present Bishop of St. David's—an authority who could not be mentioned in that House without carrying great weight—stated it as his conviction that the compulsory attendance at chapel might be dispensed with to the improvement of the religion and morality of the students. He had not the right rev. Prelate's pamphlet with him, but he remembered well, when the petition was presented to the House of Lords by Earl Grey, and to that House by the present Lord Monteagle, that Dr. Thirlwall, now Bishop of St. David's, wrote a pamphlet in which the opinion was expressed that it would be for the religious advantage of the students of the University of Cambridge if compulsory attendance at chapel were to be dispensed with. The right rev. Prelate viewed it as tending rather to desecrate religion than in any way to add to the force of religious sanctions. With regard to lectures, could it be said that that was religious instruction? He would not speak of Oxford, with which he was not personally conversant, but to tell him that there was any *bona fide* religious instruction in the university of Cambridge was absurd. It was the first time he had ever heard of any. Was there any examination whatever in religious subjects on going up for degrees? The examination was exclusively confined to mathematical and general learning. There was no examination in divinity for honours, and the only persons required to attend divinity lectures were those who were going into the church. He had never attended a divinity lecture at Cambridge, nor was he aware that he had ever been required to do so. There were lectures and examinations, it was true, which turned on points of grammatical criticism, but which, though they might test the student's knowledge of the niceties of language, would not add to or ascertain his knowledge of the doctrines of religion. He did not think he was at all exaggerating when he said, that at the present time theology formed but a very small portion of the studies of the university. In making use of these words he believed he was employing the language of the present Bishop of St. David's. How, therefore, could those who opposed this motion urge that, because those seminaries taught the very smallest portion of religion, a very great portion of our fellow-subjects were to be excluded from the benefits of a university education? Besides would they be prevented from teaching religion if Dissenters came to the university and received the secular education which they desired? Would they have less power to instruct the children of members of the Church of England in the mysteries of that church because Dissenters were residing in the university, studying mathematics and astronomy? He conceived that the universities were intended for the purpose of preparing men for all professions, and that whether a man were going into the church, the law, the army, or the navy, or to aspire to a seat in that House, he ought to have access to the education which was provided in them, without religious restrictions. Considering that one-half of those who received their educations at Cambridge were not intended for the church, it behoved the House to consider whether it was not prudent, with a view to the safety of the universities and of all our other institutions, to act in a spirit in full harmony with the present laws of the country, and admit Dissenters of all creeds to the full possession of all civil privileges. That was the principle laid down when the Test Act was repealed, when the right hon. Baronet emancipated the Roman Catholics from their disabilities, and which he now called on the House to carry out to the full extent without shrinking, in the belief that by so doing they would bind the whole nation together in full affection to our institutions, and put down all that discontent and disorder which were so much complained of, by the simple expedient of doing justice to their fellow-citizens.

Sir *R. H. Inglis* said, the hon. Gentleman who had made this motion had not asked for the admission of Dissenters to universities as a boon, but as a right; and the hon. Member who had just sat down, had also used similar language. Now, even if it had been asked as a boon, he should have been prepared to decline giving it; but called for as a right, he was doubly prepared to resist it. Both hon. Members also used such language as led to the expectation that not merely did they claim for the Dissenters admission to the education of the universities; but that next year they might be expected to claim admission to the endowments also. He was however, prepared as much to resist the former claim as the latter. On what authority did the hon. Gentleman claim as a right the admission of non-conformists to the education of the universities? Was it intended to rest their claim on the assumption of their being the representatives of those who founded these endowments, or established this education? or did he found it on the abstract right of the Legislature to extend to all the subjects of the realm, any advantage that at present might be enjoyed by some? If the first ground were the ground taken, he (Sir R. Inglis) denied altogether the assumption on which it was founded. He agreed with his right hon. Friend, the Chancellor of the Exchequer, that it was a popular error to claim for the Roman Catholics of this country the endowments of the larger portion of the institutions existing in either university. It was true, that the greater number of the colleges in the University of Oxford were founded before the Reformation; twelve colleges and five halls were so founded, making in all seventeen, before the Reformation. Only seven were founded after the Reformation. But not one of those earlier colleges and halls in Oxford, and he believed he might say the same of Cambridge, was founded by an individual holding the opinions now held by the Church of Rome—holding the doctrines of the Council of Trent. Chronologically, it was impossible that the founders could have held those opinions. But taking fellowships and scholarships together, and comparing the numbers founded before and since the Reformation, the number since the Reformation exceeds the number before the Reformation. And when they came to look at that other branch of the subject, which the Dissenters, judging by the speech of the Member for Manchester, seemed to consider at least as important as the spiritual part—namely, the property, then it would be found, that three-fourths of the property and endowments had arisen from sources accruing since the Reformation. As to three-fourths, then, at least, of these endowments the claim of the Roman Catholics fell to the ground. But was it attempted to be contended that a single one of those endowments had been founded by a Dissenter as a Dissenter? But to look at the other branch of the question: was it contended, failing the establishment of the right by succession, that the Legislature would require that any share of those endowments, or of the educational duties connected with them, should be given to any one but to those who now enjoyed them? He did not mean to deny that the Legislature could pass such an act as the hon. Member desired; but supposing that the Parchment Act were obtained, there was no reason that that Parchment Act should be operative in respect to endowments or to education in colleges or universities so long as courts of law existed, to which appeals might be made founded on charters. So far as he could understand the object of the hon. Mover, it was to repeal so much of the Act of Uniformity, as renders it obligatory on colleges to celebrate public prayer in chapel according to the forms of the Church of England; and it was desired, also, to exempt certain individuals who might state that they did not conform to the necessity of attending any prayers at all, or any lectures on theology. Much had been said of the grievance of compelling young men to attend public worship in churches and chapels. What had fallen on the subject from the hon. Mover himself, he might meet by an admission of his own, for he had quoted from a pamphlet of Dr. Peacock, the Dean of Ely, in which that gentleman stated, that the service of the Church of England was no where conducted with greater propriety than in the chapels of the universities. But would the hon. Member be prepared to deny, that if he established his case as regarded the attendance of youth at college on public worship, he would be open to an allegation of an analogous grievance in the attendance on family prayer? What was the college but a larger family, where the governors performed the functions which were then first relinquished by the parents of the students? That being the case, and the college being charged with the education of the pupil, the hon. Member would not deny that by far the more important part of that education, was that which related to the immortal part of man. Then, in this point of view, the proposal of the hon. Member, that the students should be released from the duty of attending public worship altogether, was one in which he hoped the House would never concur. Nothing could be more inconsistent than the arguments on which these claims of admission to universities were founded. He remembered, that when the subject was formerly discussed, the three denominations claimed for Protestants the right of admission, saying nothing of any other faith. And the hon. Member for Weymouth hoped that the plan adopted in future might be such as to admit all Protestants without offence to their consciences. But what became of the Jew? What became of the Mahometan?—who seemed to be such a particular favorite with the hon. Member. There was a minor point to which he must also address a few remarks, though he felt almost ashamed to talk of pounds, shillings, and pence, in connection with such a subject. The hon. Member for Manchester had talked of some 80,000*l.* or 90,000*l.* a year, available, as he said, for laymen, and of which the Dissenters, he hoped, might come in for a share. But the property available for such purposes was, with rare exceptions, limited to the use of those who were either in holy orders or who were candidates for such orders. There were only three lay studentships in Christ Church, six lay fellowships in Magdalen College, and a few in All Souls, but in the greater number of colleges no man could be a fellow except he were in priest's or deacon's orders, or a candidate for such. And with respect to the emoluments of the three studentships in Christ Church, and the six fellowships in Magdalen, they would form but a very small proportion of the amount of 80,000*l.* or 90,000*l.*, which glittered as a golden prize in the eyes of the Dissenters, whom the hon. Gentleman now took under his protection. The next observation to which he would call the attention of the House was the denial of the hon. Gentleman that religion was taught in the universities. Certainly the hon. Gentleman limited his observations more immediately to that university of which he was a member; but he could state, that he had great reason to believe, that even in respect to that university, without denying what the hon. Gentleman stated as his own experience, as to religion forming no part of education in his time, that a considerable change had taken place in the interval, since the hon. Gentleman was at the university. But with respect to the other university, he could state most deliberately and distinctly, not only that religious instruction formed an essential element in the education there; but that it formed the first and fundamental requirement of education. Nor could any young man, however high his attainments might be in classics or mathematics, obtain his degree unless he were competent to answer questions connected with his Christian profession: it was not enough that he had signed the thirty-nine articles before his admission or matriculation: but before he could be examined upon any one subject of secular knowledge, he underwent a preliminary examination in the principles and doctrines of his faith; and he (Sir R. Inglis) knew two cases of young men, afterwards very eminently distinguished in life, who took what (in Oxford) were the highest honours, but who had failed in the first instance, and were refused their degree, on the ground of their not reaching that standard of religious information which the usage of the university required at that time, and, if possible, more strongly required now. They were thrown back for their degree for six months: in the interval they acquired that knowledge which was essential to their degree; and each received the highest honours which the university could give. He thought that the hon. and learned Member for Bath seemed by his gesture to consider that six months' application to the subject of religion was not enough. He admitted that not only six months, but even a whole life was not enough; and that such knowledge would be most limited and imperfect; but he said that according to the standard of all education, to young men of twenty or twenty-one an application of six months was amply sufficient to give that knowledge—head knowledge, if they pleased so to call it; but, after all, what could a public body convey to any recipient except head knowledge? It was the gift of a very different power to touch the heart; but it was the function of a fellow human being to take care that all those who were committed to him should be in a condition to know all the essential principles and general doctrines of the communion and church of which he claimed to be a member. That, he contended, was done, systematically, he knew in the University of Oxford, and he believed it was the same at Cambridge; of that university with which he was more immediately connected he had more certain information, and he would contend that it was not correct on the part of the hon. Gentleman to depreciate as he did the system of education connected with religion in that university. He was aware that the hon. Gentleman said he did not speak from his own knowledge; but he contended that whatever might have been the case in former periods, there was now in the University of Oxford such a system as he had spoken of; and no education was considered complete or general which did not comprise a knowledge of religion, without which, he believed education itself would be useless. In the peroration of the hon. and learned Gentleman's speech, and in a large portion of the speech of the hon. Gentleman who last addressed the House, there was much said about the spirit of conciliation with which they should meet the claim of Dissenters; that claim being, first of all urged as their right. Waving, however, for a moment their claim of right the hon. Member talked of the benefits—the divine benefits—of conciliation, and of those arising from young men of different religious principles being blended together. But what was the spirit which the Dissenters were at that moment evincing against the religion and education of the Church of England? Was that a spirit which the House could be consistently called upon to foster? He should object to it under any circumstances; but it was a mockery to call upon them at that moment to admit Dissenters into places of education exclusively applied to the Church of England, when they found that from one end of the kingdom to the other they were arrayed and marshalled against the Church; and, so far from being inclined to harmonize with her institutions, or any part of her teaching, they opposed her with an unanimity and virulence seldom before combined; and yet, being so combined, they had chosen this as a peculiarly fitting time for this proposition. Even as a boon he should have been opposed to the concession under such circumstances; but still more when it was claimed as a right. If it were a right, then he admitted that their conduct did not forfeit it; but he called upon those who claimed it as a right to shew the grounds upon which they rested their claim. He thought almost the first illustration of the hon. and learned Member was alone sufficient to defeat the argument which he founded upon it; for he stated that the universities were incorporated by the act of Queen Elizabeth, which recited that such incorporation was grounded upon the necessity of maintaining a system of godly learning and virtuous living. Godly learning itself implied religious teaching, and religious teaching according to the hon. Gentleman's own statement, could not be administered to those on whose behalf he pleaded. By the hon. Gentleman's own argument, therefore, if the universities were incorporated for the sake of promoting godly learning, he was asking the House, by this proposition, not merely to repeal an act of Parliament, but to set aside the very object for which that act was passed. And if he (Sir R. H. Inglis) admitted that which he was not prepared to admit, that even a large proportion of the two universities were connected with those from whom three centuries ago the great body of the people of England separated, he should go back to the charters and say, that the larger proportion of those foundations, he believed he could say all, certainly almost all, were foundations *in honorem Dei.* They were practical institutions for the effectual promotion of sound religion, and, as his right hon. Friend said, the first statute in almost all such institutions was that which required the worship of Almighty God. If then they admitted to the universities men liberated, if they would from the burthens of a religious education, they were setting aside the objects for which those institutions were founded. The hon. and learned Gentleman quoted a college founded in the University of Cambridge, in which the precedent which he desired to see followed under the act of Parliament which he now sought to obtain had been already set. He referred to Downing College. But he would ask the hon. Gentleman whether it had not become matter of history, he might almost say of memory, considering how recently that foundation was effected, that Downing College itself, which had deviated in the same way as a family might do from the usage of the Church of England in family prayer, by abbreviating the liturgical service there, was not a college originally appropriated to members of the Church of England; and whether, whatever alteration might have been made in that college with respect to prayer, it was not clear at least that it was intended to apply to those who were members of the Church of England? The hon. Member referred to him and the President of the Board of Trade as members of the Council of King's College, and then he said education was communicated without the necessity of subscription, and without even the necessity of attending public worship according to the Church of England. But the hon. and learned Member himself must be aware though he was not one of those who would depreciate King's College, that as to general education it stood in a relation totally different from that which the universities of the land at present and for centuries had occupied. It was not a place, with a few exceptions at least, in which young men were brought together in anything like domestic relations; they did not live together, although he believed some dined together, and that fifteen or sixteen resided there. But those who resided there were required to do what young men at the universities of the land were required to do at that moment, viz., to attend public worship at the chapel, and receive lectures in religion. The hon. Gentleman referred also, though not on his own authority, to the conduct of the young men at chapel in public prayers, and he seemed to consider—for that was the only value of the statement, if it had any value at all—that the existing system was so bad that no alteration for accommodating Dissenters could render it worse. He was perfectly certain of this, that in his own time the administration of the communion was not only not enforced, but not even permitted. He stated deliberately that it was not only not enforced, but not permitted, under the apprehension that it might not be received in a proper manner. But at this moment it is perfectly voluntary; and large numbers of young men, as he happened personally to know, from having been present on several such occasions, received it with the same devotion as they would have done if administered in their own parish churches. But in this age of improvement, of which he believed there was no man in this metropolis who was not sensible, could it be supposed that improvement had not found its way into the universities? He believed, looking to the popular literature forty years ago, that such representatives of the clerical character as we found then habitually, were now absolutely unknown and were amongst the rarest specimens of human nature. Within the last forty years a greater change had taken place in the religious character of the people of England in the higher classes, those who had had religious advantages, than he believed ever occurred before in any period of our ecclesiastical history. He did not mean to say it was without alloy, but upon the whole the religious state of England, in the higher and middle classes, had advanced in the last fifty or sixty years to a degree which could scarcely be believed, and he thought that was mainly owing to the predominance given to subjects of religion in education. But that they were now called upon to disturb—that they were now called upon to destroy—because any man, with a knowledge of human nature, would agree with his right hon. Friend, that when, in education, young persons were their own masters, and they were left to their own discretion whether they should or should not receive religious instruction, the too great moral probability was, that such religious instruction they would decline to receive. They destroyed, therefore the efficacy of all religious instruction, if they permitted a discretionary power to the recipients whether they would or not place themselves in a position to receive it. But such would be the effect if, upon scruples of conscience, they gave to Dissenters admitted into the universities the right to absent themselves from public worship and religious education. That which they gave to the Dissenter, from a scruple of conscience, would soon become matter of right upon the part of those who could not urge the same ground of exemption. The hon. and learned Gentleman made a distinction between the universities and the separate colleges. This bill would not secure his object with respect to the universities, because he would only make it optional upon those who were, after all, to have it in their power to retain the present system. But if they were to make it compulsory in the case of particular colleges, it appeared to him that some interference would be as necessary as in the case of the universities; and then, he said, it was a violation of the rights and privileges, and he might almost say of the existence, of corporations which at that moment existed in full legal independence; it would be an interference uncalled for—a violation of all the privileges originally conferred upon them, and one which the hon. and learned Member would in vain sanction by any precedent, except the arbitrary precedents familiar to them all, of King James the 2nd., who required that a certain nonconformist should be admitted to a degree, and that another should be admitted to an endowment. In both those cases the principles of the universities were equally violated; and though he would not deny that it was competent to Parliament to pass this particular act yet he would deny that the act, if passed, would confer anything more than a permissive power upon the institutions themselves, whether they would or would not concede the privileges which the hon. and learned Gentleman sought to obtain. But had the hon. and learned Gentleman shown the slightest ground for hoping that if he left it permissive only he would gain anything by it? Unless he did something more than he now asked for, he would leave the Dissenters practically in much the same condition as they were in at present, and he would ask the hon. Gentleman whether under those circumstances he would call upon that House to risk the disturbances which his right hon. Friend had so ably brought under their notice? How much they formerly heard of the grievances of the Dissenters, inasmuch as they were not merely excluded from the old institutions, but from the power of establishing any new one. Whatever was the value of that grievance formerly, it was now erased from the catalogue of the Dissenters, for that had been redressed by the establishment of the University of London; and though that university had been more largely endowed by the state than the universities of Oxford or Cambridge, yet they had heard no complaint on the part of those two in respect to the amount so contributed. Upon all these grounds, as stated by himself and by his right hon. Friend, he cordially concurred in the opposition his right hon. Friend had given to the introduction of the bill proposed by the hon. and learned Member for Weymouth.

Sir *Winston Barron* said, that the arguments of the Roman Catholics having endowed these colleges for Roman Catholic purposes had not been grappled with by those who opposed the introduction of this bill. It was a serious injustice to the Roman Catholics to tell them they were not to participate in the advantages of the education as afforded by the universities, although the emoluments given by them had been taken away. It was an injustice to the Roman Catholics of former times, and yet those who opposed this bill sought to perpetuate it upon the Roman Catholics of the present day. The consequence was that a feeling of bitterness and animosity was engendered against the institutions of the state; and Roman Catholics were compelled to send their sons to foreign countries in order to complete their education. But, putting altogether aside this argument, unanswerable as it was, he would ask hon. Gentlemen who opposed this motion what injury had been done to religion or to the Protestantism of the Irish Church from the admission of Roman Catholics to the University of Dublin? In no part of the British dominions could Protestant clergymen be found better informed, more zealous, or who performed their duties in a manner more creditable to themselves, than those who were educated at the University of Dublin; yet Roman Catholics not only received their education there but some of the academical honours were open to them. On entering the University of Dublin the student was only required to state what his religion was—whether a Protestant of the Church of England, a Dissenter, or a Roman Catholic—and the only difference was, that the two latter were not required to attend Divinity lectures or the chapels of the University. [The *Chancellor of the Exchequer.*—They do not reside in the University.]—Certainly residence was not required. Some Roman Catholics, however, did reside in the University of Dublin, and what single inconvenience, disorder, or irregularity had ever resulted or could result from the circumstance? Here was an example of what they were asked to do in operation within the united kingdom, under their very eyes, and yet they refused Roman Catholics, although the sons of the first peers in the realm, to enter the Universities of Oxford and Cambridge. The anomaly was startling, the contradiction was most monstrous and absurd, that the Irish university, founded for Protestant purposes, admitted Roman Catholics, not only to the benefits of education, but to the honours of the university, without discredit or injury to religion, while the two universities in England, founded principally by Roman Catholics, denied Roman Catholics the opportunity of participating in the benefits of a common education with their Protestant fellow-subjects. He did not wish to use any harsh or unseemly language in a debate which had been conducted throughout with temper and good feeling; but it was impossible to conceal that a deep sense of grievance must result from an exclusion so discreditable, and at the same time without meaning or object. But the absurdity did not end here: Roman Catholics must not study, forsooth, at the universities in common with Protestants, yet they might have seats in that House, and make laws for the country; they might advise the Queen; they might even hold the office of Prime Minister of England, and yet they were not admitted to a participation in the benefits of education. Catholics did not wish to govern the universities, they simply desired to be allowed to send the children there, instead of being compelled to send them abroad. He knew of two cases, one that of a peer of the other House, and the other that of a Roman Catholic gentleman, both of whom had been obliged to send their sons to a foreign university, but both, as they had told him, most unwillingly. Those young men would come back to their native country as strangers, and by such a system bitterness and bad feeling were engendered. What had other universities done? It would be worth while to inquire whether in this country we were better informed, more enlightened, and more religious than the people of other countries, who conducted their education upon different principles. Without citing the universities of France, the Roman Catholic college in Switzerland, or those in Bavaria, all which Catholic universities, and there were thirteen of them, admitted students without religious test; he would go to Holland, a Protestant state, and without derogation to the people of this country; he might say there was no more amiable, enlightened, or religious people, than the Dutch. In the three universities of Leyden, Groningen, and Utrecht, there was not the slightest impediment to Papist or Protestant, and no injury had resulted to the cause of religion in that country in consequence. Then he turned to Prussia. No man had been a higher Protestant than the late King of that country, or had gone greater lengths to make the people of that prosperous country become of one religion. Yet in Prussia were instituted both Roman Catholic and Protestant professors of divinity in every university. Every person of every religion was admitted, without a religious test, and religious instruction was provided for each student, according to the religion he belonged to; somewhat after the principle which the right hon. Gentleman opposite had introduced into his Factory Bill. It was a just principle, but the carrying it out was another question. He was only talking of the principle. The right hon. Baronet had not by any means carried the principle out like the King of Prussia. It was not sought by the present motion to interfere with the instruction of the Members of the Church of England as at present constituted in the University. The hon. Member for the University of Cambridge had said, that if it were left to the youth of the country to say whether they would or not receive religious instruction, it would be opening a door to a great abuse. He believed so too. But it was a very different thing to allow a young man, on entering the University, to declare whether he did or did not belong to the Church of England. If he entered himself as a Member of the Church of England, he would do precisely as the Members of the Church of England did now; but if he were a dissenter he would be allowed to act on his own religious scruples, and adopt such religious principles as he pleased. If this bill should be carried, the Church of England would lose nothing, while a great deal would be gained in allaying religious animosities, and assuaging feelings of bitterness that now prevailed. But if, on the contrary, the bill should be rejected, they would add another large source of discontent to the dissenters of this country, and a large body of Catholics in Ireland. For it should be borne in mind, that although the great mass of the people might not feel this as a grievance, yet much discontent would exist among the higher classes, whom it ought to be the policy of the Government, and of the Members of the Church of England, to conciliate. After the noble Lord opposite had succeeded in introducing a united system of education in Ireland for the lower classes, which had not wholly succeeded, he hoped the noble Lord would not withhold his aid in support of instituting a united system of instruction among the higher classes, which was sure to succeed. If the bill of his hon. Friend should be carried, it would bind to the Government a large body of the aristocracy, wealth, and rank of the country.

Mr. *Shaw* said, that as the hon. Baronet had made such pointed reference to him and the University he had the honour to represent, the House would allow him to make a few observations on the subject, and to state the reasons why, without wishing to abridge any of the privileges allowed by that distinguished university, he should feel it is duty to vote against the motion of the hon. Member for Weymouth. There was no exact analogy between the universities of Oxford and Cambridge and that of Dublin in the matter then under consideration. In the former, and particularly in the university of Oxford, each college was in the nature of a large domestic establishment, where one system of religious observances and instruction must necessarily prevail; whereas, in Dublin, the University was one college of a much more extensive character. In the English universities residence was essential; and the term was kept by residence. In the Irish—the great majority of students did not reside, and the term was kept by answering at an examination. The proportion of those who resided within the walls, to those who resided without, was but a fifth—that is, there were about 300 resident students, and about 1,200 non-resident. Each system had its peculiar advantages, and he highly prized those which belonged to the Dublin University. But then each must be taken according to its own circumstances. In the Irish university, the large majority of under-graduates were under the care and religious instruction of their own parents or guardians, but at Oxford all were obliged to reside within the college walls, and the heads of colleges and tutors stood to each young man *in loco parentis*, and were charged with their entire instruction, both religious and secular. It would not be practicable in such a case to have different places of worship, or teachers of different forms of religion within the walls of the same college. Then, with all the advantages which he admitted were derived by the Roman Catholics and Dissenters of Ireland from being allowed the privilege of taking degrees in the Dublin University, there was practically experienced there the drawback and difficulty to which his right hon. Friend the Chancellor of the Exchequer had alluded in the way of argument against the present proposition, namely, that being admitted so far, they could go no farther, and those who up to the honours of graduates could compete in honourable rivalry with their contemporaries, were then necessarily excluded from the scholarships, and fellowships, and higher offices of the university. Discontent was already expressed on that account in the Dublin University, and applications made to open those distinctions to all classes, which was obviously impossible, as the foundation of the institution was essentially Church of England, and all members upon the foundation must indispensably belong to her communion. He had been astonished to hear again that night the objection urged, and an argument founded upon it, that the attendances at chapel and other religious observances enforced at the universities, were apt to degenerate into form, and might therefore be well dispensed with. Why, what was that but to say, that as there was infirmity inherent in our nature, and all human institutions were liable to abuse, that therefore we must forego every form of religion. It was a higher power alone that could touch the heart and change the mind; but was that a reason why we should not instruct the head, and teach the forms, and use the best means that an overruling Providence vouchsafed us—of directing education to its highest purposes—for education, without being based on true religion, was undeserving of the name, no matter what was the rank of life to which it was applied; and if religion was never to be taught, or the outward forms of a distinctive creed to be observed, until the vital effects were apparent to the world—then, indeed, might the minister of every congregation, the head of every household, or the mother of every family, however small, abandon in despondency and despair the effort to discharge their first duty to those committed to their charge. He trusted the venerable universities of the land would be the last to set such an example, and therefore he would oppose any measure which had for its object to constrain them to relax that religious discipline which formed their best characteristic.

Lord *Stanley* was induced to offer himself to the notice of the House, by having been pointedly alluded to both by the hon. Gentleman who introduced the motion, and also by the hon. Baronet, the Member for Waterford. The subject, he must admit, was of extreme importance, and he acknowledged the civility with which the hon. Gentleman had referred to the opinions he expressed in 1834. Although he should be compelled to give his vote in opposition to the motion of the hon. Gentleman, he could assure the hon. Gentleman that he had seen no reason to alter or modify the opinions he entertained in 1834, nor any cause to depart from any of those which had been cited by the hon. Gentleman. He must confess, that while he concurred in much that been said by the hon. Gentleman, the Member for Waterford, he did not participate in many of the apprehensions expressed by his hon. Friends, the Members for the Universities of Cambridge and Oxford. He was of opinion, that alterations might be introduced into the system pursued at the universities without any danger arising from them. He still entertained the opinions he expressed in 1834, that very serious objections might be raised upon religious grounds against the system which prevailed in the University of Oxford, requiring young men to subscribe to the Thirty-nine Articles. He was afraid many young men were led to sign them for the purpose of matriculation, without having sufficiently considered them. He thought with regard to young men of the Church of England, that that was a most unnecessary, and if unnecessary, it was an objectionable ceremony to be observed on the introduction of students, and in his opinion, a greater latitude might be given, without departing from the principles of the Established Church. The universities of Oxford and Cambridge were, by their constitution, connected closely with the established religion of the State, and with that he desired to see them maintain a firm and close connection; but he did not see why any apprehension should be entertained of danger, either to that connection or to the religious opinions of the young men belonging to the Church of England, if Protestant Dissenters or Roman Catholics were admitted to share the university education at Cambridge and Oxford, as they were admitted to other universities in this kingdom. He did not, however, agree with the hon. Member for Waterford, that the existing system did altogether preclude Roman Catholics from being educated at Cambridge. If he was not mistaken, Sir John Burke was educated at that university. [Sir *W. Barron*: "Within the last three years the whole system had been changed."] He was not aware of that. He knew that many Gentlemen had been educated there who were not members of the Church of England. Besides Sir John Burke, he believed his noble Friend, the Member for Arundel (Lord Surrey), was educated at the University of Cambridge. The hon. Gentleman who introduced this motion had quoted two speeches made by him in 1834. The first was on the presentation of a petition very numerously signed by the heads of the colleges of Cambridge, and the second on the second reading of a bill introduced by the hon. Member for Kendal, for removing impediments in the way of Dissenters of obtaining a university education, and university degrees. In 1834, numerous petitions were presented by Dissenters, and supported by a large body of Churchmen, complaining that, according to the existing system in this country, there were no means whereby Dissenters could obtain a liberal university education, or the degree of master of arts, which, with regard to several learned professions, gave advantages in point of time in the prosecution of his subsequent career in those professions. This was set forth as a great grievance, and it excited great attention at the time. Although the bill of the hon. Member for Kendal (which was founded upon those petitions) fell to the ground, yet the petitions were not without their results. The practical grievance was admitted, and, to a certain extent, was remedied in the following year, 1835, by the institution of the London University, which enabled Dissenters to obtain a liberal and classical education with the members of the Church of England, and also to attain those professional advantages which arose from the possession of academical degrees. What had been the effect of this? Although great excitement prevailed in 1834 upon this subject, yet, from the establishment of the London University to the present day, there had been no excitement at all. There had been no practical grievances felt by the Dissenters, and no petitions signed by large numbers had been presented by them, complaining of any professional injuries. It was true the hon. Gentleman had to-night presented a petition, but it was from a solitary individual, not complaining of any personal grievance, but stating in a general way his opinion as to the expediency of pursuing the course which the hon. Mover of this motion proposed to adopt. If this bill were allowed to be introduced, it might have a tendency to revive and embitter the former feelings of jealousy and animosity about education, which, since the year 1834, had sunk into oblivion. There had been no demand for a redress of the grievances which the hon. Member made the foundation of his motion. The hon. Gentleman had not stated, that he was authorised by any numerous body of Dissenters to introduce this bill. The hon. Gentleman was followed by the hon. Member for Manchester, who said, that if this bill should be introduced, the hon. Member would have gained the first step in raising the question upon which the Dissenters had fixed their united efforts to obtain, in point of expediency, justice and honour. It was, in fact, a measure having a tendency to renew a cry for the redress of grievances, which, to a certain extent, had been remedied. Further, the bill would not answer the hon. Gentleman's own purpose. What did he propose to do? He proposed three things. First, to do away with the oaths which stood in the way of any person obtaining a degree in the Universities of Oxford and Cambridge; secondly, to repeal so much of the Act of Uniformity, as required the prayers and Liturgy of the Church of England to be read in all the chapels of the colleges of the university; and thirdly, to alter the statute of examination. Now he remembered, that when the hon. Member for Kendal introduced his bill in 1834, that hon. Gentleman said, that while he wished to obtain for Dissenters the advantages of examination and degrees of the universities, and all the classical honours belonging to a university education, yet he desired altogether to deprive Dissenters of forming any part of the governing power, or of having anything to do with the discipline of the colleges. It was on that ground, that he supported the bill of the hon. Member for Kendal. He would admit Dissenters to every benefit of education that was closely connected with the Church of England, yet, although they might claim certain exemptions from attending to certain parts of the discipline of the universities, they were not, by obtaining the degree of master of arts, to be admitted to any part of the management of the universities, or to obtain any power by which they could exercise influence in weakening the connection between the universities and the established religion of the State. If the hon. Gentleman followed the measure of the hon. Member for Kendal, that hon. Member could tell him that he (Mr. Christie) would not satisfy the Dissenters. At present, there was no discontent existing; but the hon.

Gentleman having introduced an imperfect measure, it would, if carried, be necessary for him to go further, and introduce another, which would be most objectionable. Although the hon. Gentleman did not propose to apply an actual remedy to the grievances alleged by the Dissenters, yet he did by this bill practically sever the connection between the establishment and the universities, inasmuch as he proposed to do away with that uniformity which required the liturgy and service of the Church to be performed in every chapel of the universities. If the object of the hon. Gentleman was to relieve the consciences of Dissenters, it must be obtained by means of the authorities of the universities, for although he proposed to do away with the positive enactment requiring uniformity, still he left it permissive on the part of the authorities of the college to require attendance at divine service according to the form of the Church of England. While he separated in principle the universities from the Established Church, he did not at the same time confer upon the Dissenters the boon he wished to confer, because the governing body of every college would still have the power to maintain an adherence to the discipline of the college, and the performance of the liturgy of the Church of England, and would have the power to require an observance of these things on the part of every member of the university. He somewhat differed from his hon. Friend the Member for the University of Oxford, and rather agreed with the hon. Member for Weymouth upon the subject of compulsory attendance at public worship. He believed, that a very great alteration had taken place since he was at the university, which he was sorry to say was now twenty-three years ago. Within those twenty-three years, a vast improvement had taken place in the religious and moral feelings of the students, and also in the influence possessed over the members of the general body, high and low, by the tutors of the university. But he did not trace that change to the system of compulsory attendance at the chapels. He did think it was most desirable that every day should commence, and close with prayer according to the form of the Church of England; that it was most desirable also that service should be performed not only every Sunday, but every day, according to the Church of England; but he thought compulsory attendance so many days in the week, independently of the Sunday, by young men, tended to decrease the feeling of sanctity in their minds, and religious education was thereby deprived of much of its power. His hon. Friend, the Member for the University of Oxford, and who was a member of the same college with himself, had said, that in his time the sacrament was not allowed to be administered in his college (Christ Church), whereas, at the present moment, it was administered, and vast numbers of young men attended it, and his hon. Friend added, that those young men attended from a sense of religion, without any compulsion at all—their attendance was altogether voluntary. If that had been the effect produced with regard to the attendance of the sacrament, he thought the same effect would arise from the power of religious feeling in regard to attendance at chapel both on week days and Sundays, even although compulsory attendance should be removed; but still more did he think that would be the effect if the attendance at chapel should cease to be, as in his time it was inflicted as a punishment for acts of insubordination. It was the practice when a student was offended, to say of him that he was confined to "hall and chapel"—that was to say that he had every morning and every evening to attend divine service, not for the purpose of worshipping his Maker, but as an act of discipline, and in way of punishment, for having been guilty of some act of insubordination. In his opinion, the discipline and instruction of the universities ought to be closely connected with the Established Church of this country, and that every encouragement should be given by advice, example, and precept to the Members of the Established Church, to attend the celebration of divine service according to the rites of the Church of England; but he confessed, he did not himself feel any apprehension with regard to the interests of the Established Church, or the interests of the universities, if retaining the entire management of the universities in the hands of members of the Established Church, and giving to them altogether the control and superintendence of the discipline of the colleges, there were admitted, as there were admitted in the universities of Durham, of Dublin, and of London, persons of different religious denominations who might be willing to accept temporal instruction—mathematical and classical — according to the course pursued in those universities; and that some exemption might be made in their favour by exempting them from compulsory attendance upon that form of religious worship which they conscientiously dissented from. He believed the effect of this would be to soften down the animosities existing between Members of different religious persuasions; and that it would give both Churchman and Dissenter a more favourable opinion of each other. He considered this was a matter highly worthy of consideration by the universities. More than that, he would venture to state his opinion individually, and with great deference to the opinions of higher authorities, who, he knew, altogether differed from him, that in this year of our Lord, 1843, there did not exist those grievances, or that absolute necessity which could demand or call for interference on the part of Parliament, which existed in 1834. The Dissenters had now at least the means of obtaining that classical and mathematical instruction and scientific education in an university which had deen founded since the period when their grievances were brought before the Legislature in 1834. They had now the means of obtaining the degree of master of arts, and of enjoying all the privileges which the possession of those degrees conferred. He therefore did think the hon. Gentleman was not acting judiciously in reintroducing a subject which had created no popular excitement from 1834 up to this period. He was afraid, that the introduction of the bill, little as there might be in it absolutely injurious, would be a sure way to create dissatisfaction on the part of the Dissenters, and that because it did not concede more. It was, in his opinion, calculated to excite animosities, which the hon. Gentleman himself must admit it was most desirable should be kept down. Believing, therefore, that there existed no practical grievance at the present moment, believing that it was inexpedient to revive a discussion of the question, and believing at the same time that the only practical grievance alleged by the hon. Gentleman in support of the bill, had in a great measure been removed, and that the alteration required by the bill was one which, at all events, ought properly to be left, so far as it could be, to the experience and sense of the universities themselves, he, for his part, was very unwilling that Parliament should interfere with such a question. It was upon these grounds—while very little differing, if at all differing now from the theoretical opinions, he himself expressed in 1834—that he should feel it his duty, under the altered circumstances of the case— for he was sure the hon. Gentleman was too candid to impute it to the altered position which he now held, from that which he held in 1834—solely, then, under the altered circumstances of the case, as regarded the condition of the Dissenters themselves, the public opinion, and the public institutions of the country, he should feel it his duty to vote against the present motion.

Lord *John Russell* differed so little from the noble Lord, that he could not refrain from expressing his surprise that they should not be found voting together in favour of the motion. The single ground of the objection of the noble Lord to the introduction of the bill was, that, since 1834, another university had been established, at which degrees by those who were not members of the Church of England might be obtained. If it were wrong that Dissenters should enjoy the opportunity of taking degrees, that opinion must stand on its own merits; if it were right that they should be allowed to take degrees, it was no sufficient answer to say that there was one university from which they were not excluded. No doubt that was a mitigation of the grievance; but if it were a grievance, as the necessity for mitigation seemed to admit, why ought it not to be removed entirely? The Chancellor of the Exchequer and the hon. Baronet the Member for the University of Oxford, had argued this question entirely on the principle of the proposition contained in the motion; but it seemed to him that, in a country like this, so divided in religious opinions, persons of all persuasions ought to be admitted, as far as possible, to the benefits to be derived from the universities, unless the principles of the Established Church entirely precluded such a course. Offices immediately connected with the Church certainly could be held by Dissenters; and although there might be difficulties in the way of an arrangement, he was inclined to approve of the principle laid down by the noble Lord, that the general rule ought to be instruction according to the doctrines of the Church, but that those who differed from the doctrines ought to be able to obtain the instruction there given, and the honours there bestowed. If there were no paramount objection to that, it was obvious that the benefits of education would be extended to those who did not now enjoy them. If 50 or 100 Roman Catholics would send their sons to Oxford or Cambridge, that 50 or 100 ought not to be deprived of the advantage, unless some sufficient reason could be produced. The *onus* lay upon those who advocated exclusion; it was incumbent upon them to show a strong ground for their position, and it did not seem to him that any such ground had been shown. It was admitted that the principle of exclusion was at the present moment enforced in three different ways; at Oxford it began at the beginning, and extended through the whole course of instruction; that university was confined to members of the Established Church, and Roman Catholics and Dissenters could not enter its walls. At Cambridge the rule was different; Roman Catholics and Dissenters might go through the course of instruction; they might even reside within the colleges, but they could not enjoy its honours. In the University of Dublin a third system prevailed. Roman Catholics and Dissenters might not only receive instruction, but partake of the honours of the institution; but they could not become provosts, fellows, or even scholars, although they possessed the civil right of voting for Members of Parliament. When, therefore, this principle of exclusion was contended for, it ought to be borne in mind that in three of our universities it was enforced in three different ways. It ought to be contended by its advocates, that one of these ways was right; they could not all three be right; one must be better than the other; and if so, the others which were worse ought to be made to conform to that which was better. Many of the arguments of the hon. Baronet (Sir R. Inglis) were derived from a knowledge of the university he represented, and did not apply elsewhere; for instance, he had said that Oxford was a sort of social and domestic institution, and therefore that it could not admit students of different religious persuasions. That might be so, but if it were, the observation did not apply to Cambridge. A noble Friend of his (Lord Fitzallan) was formerly resident in one of the Colleges of Cambridge, and if it would be a destruction of the social and domestic character of that university to admit a Roman Catholic, it was very clear that it had been destroyed at Cambridge. Again, as to the University of Dublin, it had been said that such a latitude of admission would occasion discontent; yet such had not been the case in Dublin, and so well satisfied was the right hon. Member for that university, that he did not wish for any alteration of the system. The right hon. Gentleman had confessed that Roman Catholics, in particular, ought to be admitted, and ought to be allowed to compete for honours. The Chancellor of the Exchequer had argued the question of history, and had said, that looking at the foundations of these colleges, and at the wills of the founders, it was unfit to admit Protestant Dissenters. [The *Chancellor of the Exchequer*: "I referred to the endowments of the colleges."] The majority of the endowments were made in Roman Catholic times, and the wills of the founders was that instruction should be given according to the Roman Catholic doctrines of the mass and other ceremonials. He agreed with the right hon. Gentleman, that it was perfectly competent to the Legislature to alter the mode of instruction; but his illustration was certainly not a very happy one when he spoke of a person who asked another, "Where was your religion before the reign of Henry the 8th?" The answer had been given by putting another question—"Where was your face before it was washed?" That might be a good reply for a member of the Established Church, but it would not be sufficient for the Dissenter, who would say—"I have washed my face a little cleaner than you washed yours." He would naturally think that it was no good ground for excluding him, that he had removed spots which the churchman had allowed to remain. Exclusion could only rest upon two grounds. 1. The will of the founders, which, of course, must be abandoned. 2. The existing state of the law. If a stand were made upon the law, the answer was that that law ought to be made conformable to the general benefit of the people at large. Looking back to the times of the Reformation, it was seen that when Mary succeeded to the Throne, she placed new heads in the different colleges; on the other hand, when Elizabeth ascended the Throne, she removed the heads of colleges her sister had established there. No test was applied at Cambridge until the time of James 1st; and Mary and Elizabeth, as the heads of the State, thought they had the power to make rules and to displace authorities, according to their views of the public interest. They certainly had that right, but it did not follow that such a right had descended to our day. Next, the advocates for exclusion appealed, as he thought most mistakenly, to their general knowledge of mankind. They said, "If you make it a rule that those who belong to the Church shall attend the service of the Church, and receive instruction from professors of divinity, you will find that those who wish to escape an irksome and tedious duty, will proclaim some small point of dissent in order to accomplish their object." This remark was not founded upon knowledge, but upon perfect ignorance of human nature. He could not believe that a father, who belonged to the Church of England, and who sent his son to the University of Oxford or Cambridge, would have so brought up that son that he would proclaim himself a Dissenter, merely because he wished to avoid the trouble of attending certain lectures; a father must, indeed, have been negligent of his son's education, if that son could so conduct himself. If young men were members of the Church, they would attend the lectures and the service of the Church; if they were Roman Catholics or Dissenters, they would fearlessly proclaim their dissent, but would no less attend to the instructions and doctrines of their own religion. If he merely regarded his reputation with the world, no young man whose family was known to belong to the Church, would venture, at Oxford or Cambridge, to proclaim himself a Dissenter, even if he were disposed to adopt such tenets. The objections of the Members for both the universities rested a great deal too much upon the supposition, which he believed to be entirely unfounded, that persons were to be made religious by certain tests and formularies which might be imposed, but which were not necessarily part of the general course of instruction. What fell from the noble Lord fully confirmed him in the belief that good religious instruction in the doctrines of the Church was much better promoted without any compulsion of the kind; and that if young men attended the communion because they wished to partake it, there was much better security for a religious education, and for the durability of religious impressions, than by making them subscribe the thirty-nine articles at the time of matriculation. He could refer to examples in the last century, to show how little declarations of support to the Church were really connected with religious character. He need only mention the three names of Bolingbroke, Gibbon, and Hume. Bolingbroke was the leader of tne high Church party in the House of Commons; Gibbon held office under an administration by which high Church principles were professed; and Hume was a great advocate for the kirk of Scotland, and attended the opening of the General Assembly with great regularity. To these three names he might oppose three others—those of Watts, Doddridge, and Lardner—men who were really actuated by the strongest sense of religion. Such men could not have been members of the Universities of Oxford or Cambridge, and could not have taken any degrees there; yet the last and least of these, Dr. Lardner, had written a most learned and elaborate work upon gospel history, and had no university degree until he was presented with one by Scotland. Was he not warranted, then, in saying, that true religion would be more promoted by making instruction according to the doctrines of the Church of England the general rule of university education, while, at the same time, Dissenters were permitted to pursue the same course of study, absenting themselves only from such service as was inconsistent with their opinions? This would be a great benefit to those who conscientiously dissented, while it would not at all tend to occasion a disregard of the doctrines of the Church. And why should it? Divided as the community in this country was into members of the Church, Protestant Dissenters, and Roman Catholics, men of different persuasions were seen acting in after-life in perfect harmony, and they were often united by near relationship; sometimes they were engaged together in the same undertaking, and the difference of faith made no difference in affection. If this were true of men of twenty-five, thirty, or forty years old, why should it not be true of young men of seventeen, eighteen, and nineteen years old? The noble Lord had observed that this question had not excited much interest—that no petitions had been presented. The case of the Dissenters was unfortunate. If they had come forward in great numbers, if petitions had been voted at public meetings, they would have been turned back with the reproach, that they wished to assail the Church, and agitated because they were hostile to its interests. If they were quiet, they were accused of indifference; and if they agitated, it was asserted that they intended violence. He knew what would be the end of this question; neither this boon, nor any other would be granted;

he was sorry for it, but he would, nevertheless, give his vote cordially in favour of the motion.

Mr. *Wyse* said, that in the University of Dublin, during the time he was in residence there, there were forty or fifty Roman Catholic members of the university, but so far as he was aware no quarrel took place between them and any of their Protestant fellow-students on theological subjects. He believed that their intercourse tended to remove the prejudices which existed both in the minds of Catholics and Protestants; and he must say, that some of the most valuable friendships he had formed, had been among his Protestant fellow-students at the university. With regard to the doctrine of the non-interference of the State, he could say, that in 1792 the Irish legislature interfered with the charter of Trinity College, Dublin, for the admission of Catholics, and persons of that persuasion were now legally entitled to become professors. He would admit, that one of the objects of the universities was the extension of religion; but another object was, to extend secular information to the fullest extent to which it could be rendered useful. Why should the restrictive system be so stedfastly adhered to with respect to these? Surely there was greater danger (if any was at all to be apprehended) in admission to the Legislature than in admission to the universities. He did not think that the noble Lord the Secretary for the Colonies had furnished sufficient reasons for the change in his opinion, which it appeared had taken place since 1835. With respect to Trinity College, Dublin, though concessions had been made in 1798, he did not consider them by any means sufficient. A people who had grown from 1,000,000 to 8,000,000 should not only be allowed to share in the education, but also to permitted to participate in the emoluments. He was satisfied that, however it might be delayed, the principle of the motion must eventually prove successful, and the universities of this country, taught by the practice of those of other nations, would at last discover that to support their character they must extend their liberality.

Mr. *Williams Wynn* considered, that if the simple question of admission to the universities was the only difficulty which they had to meet, it was one which would be easy of removal; but where was the assurance that they would not be called on to go further? The principle on which this demand was urged would extend to include the governing power, the honours, the emoluments, and the instruction of youth? But, besides this, he had a preliminary objection. He did not object to permitting the universities to adopt those alterations of their own accord, but he was opposed to any proposition which would go to the extent of compelling them by the interference of Parliament. He did not mean to deny the power of Parliament to interfere, but it was a power which he should always wish to see them slow to exercise. It was impossible for that House to go fully into the details upon which it would be necessary to enter when making such alterations. He thought the Convocation and senate of the universities were the proper tribunals before which such details should properly come. On these grounds, he was opposed to the motion, as he considered that nothing but a very strong case would warrant the interference of the Legislature. He should like to see the system changed so far as to admit persons not belonging to the Church of England to enter, perhaps, even to proceed to the degree of bachelor; but he could not wish this alteration to be made without the assent and the concurrence of the universities themselves.

Mr. *Redington* was one of those who were compelled to undergo the degradation of being refused to graduate because he professed the ancient faith of those by whom the establishments were founded. He belonged to a college founded by the Countess of Richmond (Christ's) in which, though the privilege to graduate was nominally granted, it was so hedged round with provisions that it was virtually of no use. He considered the proposition then before the House a moderate and a fair one, though the right hon. Gentleman who last addressed the House could not see any injustice in the present instance. The right hon. the Chancellor of the Exchequer argued that the evil complained of was not so great now as it was ten years ago, because the London University was established in the interim. Did the right hon. Gentleman deem so lightly of his own college? He did not mean to disparage the London University, but did the right hon. Gentleman mean to speak so lightly of his own college, as to compare the London University with Cambridge? The right hon. Gentleman boasted of the men educated at his college, whose high acquirements and intellectual superiority shed lustre upon the institutions at which their attainments had been acquired. Why, that was an argument in favour of the measure now proposed. If such were the results of education at these universities, why deprive the Roman Catholics, why deprive the Dissenters of such advantages? Why were not the intentions of the original founders of these institutions carried out to their full extent? Those who advocated the present measure did not seek any advantages to which they were not fully entitled. As regarded the Roman Catholics, they did not look for any privileges vested in the colleges founded subsequently to the Reformation, nor did they ask for anything to which they were not by the fullest right entitled; but he considered that it was an exceeding hardship to exclude them from the privileges pertaining to those foundations which were endowed for the purpose of having masses offered up for the souls of the founders.

Mr. *Roebuck* looked at this question as a legislator for the whole kingdom. He did not know why there should be any distinctions between the different universities, nor why any university should be possessed of exclusive civil rights. When a man entered Oxford he was obliged to swear to the thirty-nine articles. [Sir *R. Inglis*: " Not swear, but sign."] He was glad that the hon. Baronet the Member for Oxford had made that distinction; it put him in mind of those reservations and distinctions which were like those of the Jesuitical part of the Church of Rome. When he had the signature of a man, declaring his belief in these articles he did not want to add to that signature the sanctity of an oath. The young man was obliged to declare his belief in what he did not understand. That was the first distinction in the university for instructing young men in the ingenious arts, He was obliged to subscribe to articles, not one-hundredth part of which could he understand. [Sir *R. Inglis*: " Why not?"] Why not? Because there was scarcely one man, even in that assembly, who could understand them [*No, no*]. If they did, perhaps, they would explain them. They would oblige him if they would explain this—[The hon. and learned Gentleman took up the thirty-nine articles and began to read one, but was met with loud cries of " *Oh, oh,*" and laid down the book.] He would not go through this, as it might be thought an insult to the House thus to treat a serious question; but they must recollect, that they asked a boy between sixteen and twenty to subscribe them. Who brought on this discussion? Not the hon. Member for Weymouth, but those who made the law. On those who made the distinction the onus lay. The articles on grace, pre destination, transubstantiation,—did the House think, that a boy of sixteen could understand what had occupied the seriou attention of all the scholiasts and commentators? A young man was called upon to subscribe those articles at the commencement of a university education, with which, as the hon. Member for Oxford said, religion ought to be inseparably connected, and they commenced by making the young man a doctor instead of a learner. They began this education by calling for a declaration as to a future state of a most recondite and mysterious character. He asked why the State should impose on those entering the University of Oxford a declaration of this sort? Did the State require the young man to believe what he signed? " No," said the hon. Member for Oxford, " he need not understand or believe." Well, the young man proceeded with his education; his mind was not open to the reception of all the truth contained in the articles; he found himself not inferior in morality or in learning. He might be a good citizen and a pious person, but he could not subscribe to all the difficulties of the thirty-nine articles. The State then stepped in and said, " You are not one of us." The Church said, " You have a perfect right of private judgment, but if you do not believe with us, you must suffer in your private concerns." And this was the distinction between the two churches. The Catholic Church said, " you will be damned if you do not believe as we do." And the English Church said, " you can't be saved if you don't believe with us." He asked, then, why the Church of England should have that predominance granted by Parliament? for they had it not by endowments—those endowments were the creatures of an Act of Parliament, as he asserted they ought to be. The Parliament had determined to change the Catholic to the Protestant faith, and he asked the House to go one step further, and to relieve these endowments from all religious distinctions, and to make them useful for the general education of all, without any peculiar religious distinctions. As in the case of parish schools, there should be no peculiar religious doctrine mixed up with the university education, and of what benefit had the system been? By whom had the discoveries been made by which nature was subdued to man's use? Were they owing to the peculiar religious teaching of the University of Oxford? No. It had not softened the mind, regulated the intellect, or strengthened the powers of the intellect. He would ask the hon. Member to put his finger upon any individual who had advanced science by the peculiar religious doctrines taught at Oxford? He found Dissenters as pious, as learned, as generous, as humane, and as good in all the relations of life as any one educated at Oxford. How then could it be said that the peculiar religious teaching there had any effect in producing good men? It had been said that there was no grievance complained of upon this occasion. He would tell them why there was none. Whenever a man in this country became rich he immediately complied with the fashion by sending his son to Oxford or to Cambridge. In England fashion was more powerful than religion. But was that any reason why the Legislature should bow to the same fashion? As far as the education at Oxford went, it narrowed the intellect, and it created feelings of asperity, and it was only the business of life afterwards which wore off the edges thus created in those universities; nor could he learn the way in which it produced any humanising influences. It might be said, they were necessary to sustain the Established Church; but would the hon. Member for Oxford lay it down as a doctrine, that the exclusiveness of the universities of this country was maintained by Parliament for the purpose of maintaining the exclusive domination of the Church? If it were so, he would for that reason, more certainly oppose them. The hon. Gentleman the Member for Oxford had told them of men leaving the university unfit to enjoy the civil honours to be conferred, and returning six months afterwards perfectly fit. Did the hon. Member believe that a heartfelt change could be made in six-months, or that a full knowledge could be obtained on such difficult subjects in so short a time? Did he not believe that a person learned in Greek and Latin lore might be a Christian in every good sense without this knowledge? He might be a good man and a scholar, learned above his fellows, but he might want the peculiar knowledge to enable him to receive the distinguished honours of the state. He presumed that this peculiar learning was contained in the thirty-nine articles, which it would take not merely six months, but a whole life to understand. The hon. Member shook his head. Did he pretend to say that a man learnt much more than he previously knew in that six months? Did he learn more so as to make him a better man? Did the hon. Member really suppose that a Churchman was a better man than a Dissenter? [*Hear, hear*]. That was just what he wanted. Was there any other man on that bench that dared to say so? Oh, he saw an hon. Baronet bow with apparent humility; but was that common modesty on his part? Was it not like another description of men that they read of? Were they not like those who said we are not like other men, but we pray and fast three times a-week? This, then, was the honest doctrine of hon. Gentlemen opposite. What was this but saying that we are of the porcelain clay of creation, and the rest of the world were but potter's clay, to be turned and worked by the wheel, and dealt with in every rough and rude way? It appeared, however, that there was only one other Member of that House besides the hon. Baronet the Member for the university of Oxford, who dared to say that the members of the Church of England were more pious, virtuous, and learned than other men; and that Dissenters, or any other persons, merely by six months' theological study in the university, would become so much better than the rest of the community. Was not this ridiculous and absurd in the extreme? He saw his hon. Friend the Member for Pomfret opposite, who seemed to dissent from this opinion. Now he should like to have a Puseyite as well as an orthodox Church view of this subject, so that the House might be enabled to determine whether the articles of the Church were read right or wrong. It would appear from the observations of the hon. Member for Oxford that all the previous education in Christian learning at the university was useless, and, although a young man might be versed in classical and mathematical lore, yet all was useless, unless with his six months' teaching with respect to the articles of the Church. He had thought that every young man was sufficiently well learned in the fundamental doctrines of Christianity before he entered the university, at any rate it was well known that in the Dissenting colleges a boy, before he was seventeen, became well versed in Christian doctrine. It appeared, however, that during the short period that he had alluded to, the parties were not only to be instructed in Christian doctrine, but were also to obtain faith; but the result was, that they professed to believe, because it was for their interest to believe, and as far as the universities were concerned, they were teachers of hypocrisy as much as anything else.

Viscount *Sandon* thought that the hon. and learned Member for Bath had completely misunderstood, and had, therefore, altogether misrepresented the speech of his hon. Friend the Member for the university of Oxford. His hon. Friend had said—"That men in the university to which he belonged were refused their degrees because they were not adequately acquainted with Christian knowledge." It should be recollected by the hon. and learned Gentleman that a young man passing for his degree required more knowledge than a mere school-boy, and that something more than merely being able to read the Greek Testament was requisite. What was required was, that before passing for a degree, a man should possess more than the common range of scholastic knowledge, namely, that he should also be versed in the principles and doctrines of Christianity, and six months were ample to acquire that knowledge. He believed that there had been an unintentional perversion of facts on the part of the hon. and learned Gentleman, but the perversion must be obvious to any one at all acquainted with the subject.

Mr. *H. R. Yorke* said, amidst loud cries of "question," that he did not intend to detain the House more than one minute; but if he was interrupted, he should move the adjournment. The important question before the House was, whether or not it would consent to abolish the oaths on entrance to the universities. He thought that in his own person he could afford a practical illustration of the absurdity of these oaths. He had gone to Christ College, Cambridge. ["*Question.*"] He wished to state specific facts, and had no wish to take any importance to himself ["*Question.*"]. Well, when he went to Christ College, he entered himself as a pensioner, which in the other university was called a commoner. He found that it was necessary for him to go seven times a week to Church. It did not suit his mind very much to do so, and he was very happy to find the means of getting rid of the inconvenience. He had the means of purchasing immunity, and he did so by making himself a gentleman pensioner; and after that he had only to go to Church twice a week. He wanted to know what necessity there could be for any oaths, when a difference of 30*l.*, 40*l.*, or 50*l.* expense would make a change in the religious observances in the university, in the relative proportion of seven to two?

The House divided—Ayes 105; Noes 175: Majority 70.

List of the AYES.

Aldam, W.
Archbold, R.
Arundel and Surrey, Earl of
Barclay, D.
Baring, rt. hn. F. T.
Barnard, E. G.
Barron, Sir H. W.
Berkeley, hon. C.
Bernal, R.
Bernal, Capt.
Blake, Sir V.
Blewett, R. J.
Bowring, Dr.
Brocklehurst, J.
Brotherton, J.
Browne, hon. W.
Bulkeley, Sir R. B. W.
Buller, E.
Busfeild, W.
Chapman, B.
Childers, J. W.
Cobden, R.
Colborne, hn. W. N. R.
Craig, W. G.
Crawford, W. S.
Currie, R.
Curteis, H. B.
Dalmeny, Lord
Dalrymple, Capt.
Dawson, hon. T. V.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Ebrington, Visct.
Ellice, E.
Ellis, W.
Ewart, W.
Ferguson, Sir R. A.
Fitzroy, Lord C.
Fitzwilliam, hn. G. W.
Granger, T. C.
Hall, Sir B.
Hanmer, Sir J.
Hastie, A.
Hatton, Capt. V.
Hay, Sir A. L.
Hayes, Sir E.
Heathcoat, J.
Heneage, E.
Hill, Lord M.
Howard, hn. C. W. G.
Howard, hon. H.
Hutt, W.
Lemon, Sir C.
Maher, V.
Majoribanks, S.
Marsland, H.
Mitcalfe, H.
Mitchell, T. A.
Morris, D.
Muntz, G. F.
Norreys, Sir D. J.
O'Brien, J.
O'Brien, W. S.
O'Connell, M. J.
Ord, W.
Oswald, J.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Philips, M.
Plumridge, Capt.
Pulsford, R.
Redington, T. N.
Rice, E. R.
Roebuck, J. A.
Ross, D. R.
Russell, Lord J.
Scholefield, J.
Seymour, Lord
Sheil, rt. hon. R. L.
Smith, B.
Smith, J. A.

Smith, rt. hon. R. V.
Staunton, Sir G. T.
Stuart, Lord J.
Strickland, Sir G.
Strutt, E.
Talbot, C. R. M.
Thorneley, T.
Trelawny, J. S.
Tuffnell, H.
Turner, E.
Villiers, hon. C.
Vivian, J. H.
Vivian, hon. Capt.
Wall, C. B.
Wawn, J. T.
Wemyss, Capt.
Wood, B.
Wood, G. W.
Worsley, Lord
Wrightson, W. B.
Wyse, T.
Yorke, H. R.

TELLERS.
Christie, W. D.
Gibson, T. M.

List of the Noes.

Ackers, J.
Acton, Col.
Adare, Visct.
Adderley, C. B.
Allix, J. P.
Antrobus, E.
Arbuthnott, hon. H.
Archdall, Capt. M.
Arkwright, G.
Bailey, J.
Bailey, J. jun.
Bankes, G.
Baring, H. B.
Bateson, R.
Bell, M.
Bentinck, Lord G.
Bernard, Vict.
Boldero, H. G.
Bramston, T. W.
Broadley, H.
Brooke, Sir A. B.
Bruce, Lord E.
Bruce, C. L. C.
Buckley, E.
Buller, Sir J. Y.
Bunbury, T.
Burrell, Sir C. M.
Burroughes, H. N.
Cardwell, E.
Chelsea, Visct.
Chetwode, Sir J.
Christopher, R. A.
Clayton, R. R.
Clerk, Sir G.
Clive, Visct.
Clive, hon. R. H.
Colvile, C. R.
Compton, H. C.
Copeland, Mr. Ald.
Corry, rt. hon. H.
Courtenay, Lord
Cresswell, B.
Cripps, W.
Damer, hon. Col.
Darby, G.
Denison, E. B.
Dick, Q.
Dickinson, F. H.
Douglas, Sir H.
Douglas, Sir C. E.
Dowdeswell, W.
Drummond, H. H.
Dugdale, W. S.
Duncombe, hon. A.
Duncombe, hon. O.
East, J. B.
Eaton, R. J.
Egerton, W. T.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Fellowes, E.
Ferrand, W. B.
Filmer, Sir E.
Flower, Sir J.
Follett, Sir W. W.
Ffolliott, J.
Forbes, W.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Gladstone, Capt.
Glynne, Sir S. R.
Gordon, hon. Capt.
Gore, M.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greenall, P.
Greene, T.
Gregory, W. H.
Grogan, E.
Hale, R. B.
Halford, H.
Hamilton, J. H.
Hamilton, G. A.
Hardinge, rt. hon. Sir H.
Heneage, G. H. W.
Henley, J. W.
Henniker, Lord
Herbert, hon. S.
Hervey, Lord A.
Hillsborough, Earl of
Hodgson, R.
Hope, hon. C.
Hope, A.
Hope, G. W.
Hornby, J.
Hughes, W. B.
Hussey, T.
James, Sir W. C.
Jermyn, Earl
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kelly, F.
Kemble, H.
Kirk, P.
Knatchbull, rt. hn. Sir E.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Lincoln, Earl of
Lindsay, H. H.
Lockhart, W.
Lowther, J. H.
Mackenzie, W. F.
Mahon, Visct.
Mainwaring, T.
Manners, Lord C. S.
Manners, Lord J.
Marsham, Visct.
Martin, C. W.
Meynell, Capt.
Miles, W.
Milnes, R. M.
Mordaunt, Sir J.
Morgan, O.
Mundy, E. M.
Neeld, J.
Nicholl rt. hon. J.
Norreys, Lord
O'Brien, A. S.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Pigot, Sir R.
Polhill, F.
Pollock, Sir F.
Pringle, A.
Reid, Sir J. R.
Repton, G. W. J.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, C. G.
Round, J.
Rous, hon. Capt.
Russell, C.
Russell, J. D. W.
Sandon, Visct.
Scarlett, hon. R. C.
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Sibthorp, Col.
Smith, rt. hon. T. B. C.
Smyth, Sir H.
Sotheron, T. H. S.
Spry, Sir S. T.
Stanley, Lord
Sutton, hon. H. M.
Thornhill, G.
Tollemache, J.
Tomline, G.
Trollope, Sir J.
Trotter, J.
Tyrell, Sir J. T.
Vesey, hon. T.
Waddington, H. S.
Wellesley, Lord C.
Whitmore, T. C.
Wood, Col. T.
Wortley, hon. J. S.
Wynn, rt. hn. C. W. W.
Young, J.

TELLERS.
Fremantle, Sir T.
Inglis, Sir R. H.

Business of Parliament.] Sir *V. Blake* moved for leave to bring in "a bill to apportion and regulate the overwhelming labour and business of Parliament in a manner calculated to allay discontent, and to preserve and maintain the inviolability of the united empire upon a satisfactory and permanent foundation." The hon. Member (having read his motion) apologised to the House for presenting to them entire a measure at once so enlarged and comprehensive. The language of this bill, however, would be in strict conformity with the declarations of her Majesty's Ministers, and it would simply have for its object to prevent the Chair of that House from being a stepping-stone to the Peerage or to the grave. He hoped it would tend to allay discontent and to further the ends of the Constitution, and that, without change of the elective franchise, without taking any single Member from the number of which the House was now constituted, he trusted it might be hailed as a safety valve to preserve the rights and privileges of Englishmen. He hoped he did not assume too much when he said that the public men who were most assiduous in their attendance in that House might be remarked as presenting the most attenuated aspects. Two months of the Session were still before them, and if they continued equally assiduous, they would be more attenuated still. As for the duties of the Chair, they were onerous beyond—beyond expression. At that late hour of the night he would not detain them by describing those duties; but his object was to lighten them. He knew the House was reluctant to assent to any reforms, but time, the innovator time, the great preceptor of mankind, would make them adopt reforms in no small variety. He thought that those who had grievances ought to be constitutionally heard. They talked of putting down the cry of repeal, but that cry could not be suppressed except by the use of the means which the Constitution supplied. What had been obtained by fraud could not be kept by force. What was the position of Ireland—the country to which he had the honour to belong? Its situation was extremely peculiar. It would not do for that House to say to Ireland—"You are grumbling about nothing." The individuals who were agitating in that country laughed at the threats of that House. The House might pass its coercion bill, but the only effect of such a measure would be to redouble the agitation in Ireland. If a call of the House were ordered, and if a particular individual, whose name he would not mention, were taken into custody, he would not refuse to attend in his place. No, he would freely come, but he would be attended to the water's edge by millions of his countrymen, and "the rent" would be ten times the amount it was. He had prepared a bill for the removal of those grievances. [The hon. Baronet read his bill, the object of which was to reduce the number of Parliamentary representatives, to enact a restoration of the local Parliaments which existed in Ireland and Scotland, directing that both these Parliaments be again returned from the same places, and in the same manner as before the two unions respectively; but that the right of voting should be the same as that created by the Reform Acts of Scotland and Ireland, and that the Boundary Act be made applicable to all such places as returning Members to the local Parliaments, and that the number of Members in each of the three Parliaments be the same as before the unions. There was, also, a special provision that there should still exist an Imperial Legislature, containing the same number of English, Scottish, and Irish Members sitting jointly as at present; but that these Members were to consist, as far as England was concerned, of the knights, citizens, and burgesses as at present elected for places in England and Wales, and that the same number of Scottish and Irish Members who at present sit in Parliament should be chosen by the local legislatures out of their own bodies; that the Imperial Parliament thus constituted should decide upon all questions affecting the empire at large; and everything specially affecting any of the three kingdoms should be ordered and determined by the local Legislature alone.]

There being no seconder to the motion, it was not put.

SCIENTIFIC AND LITERARY INSTITUTIONS.] Mr. *G. W. Wood* rose to move for leave to bring in a bill to exempt scientific and literary institutions from the payment of parochial and municipal rates and taxes, for such parts of their buildings as are used exclusively for scientific and literary purposes. He believed this exemption would have the most salutary effects upon the population, by encourraging the dissemination of scientific, moral, and religious instruction in all places where institutions literary or scientific, were already or might hereafter be established. It would, in effect, be equivalen to a vote by that House of so much public money, without being felt by any one. As this was an object in which all who wished to disseminate sound knowledge throughout the nation must feel a deep interest, he anticipated that there would be no indisposition to assist institutions so meritorious, and which, nevertheless, he regretted he was compelled to say were in too many instances, so deficient in means as to require all possible aid from the well wishers of science.

Mr. *Wyse* seconded the motion. This bill was free from objections which had been made to bills of a similar kind. There were many buildings of a similar kind, and of a public nature, which were exempted from taxation in the manner proposed by this bill, and he saw no reason why the exemption should not be applied with respect to the buildings contemplated by the present bill.

Leave given.

Bill brought in and read a first time.

The House adjourned at a quarter past Twelve o'clock.

HOUSE OF LORDS,

Friday, May, 26 1843.

MINUTES.] BILLS. *Public*—1ª· Millbank Prison.

3ª· and passed:—Appeals, etc. Privy Council; Turnpike Roads (Ireland).

Private.—1ª· Scarborough Harbour; Sowerby and Soyland Inclosure; Edinburgh and Glasgow Union Canal; Bannbridge Road; Southampton Docks; Belfast and Cavehill Railway.

2ª· South Eastern and Maidstone Railway; Haddenham Inclosure; Drumpeller Railway; Forth Navigation.

Reported.—South Eastern and London and Croydon Railway; South Eastern Railway Extension; Wexford Harbour; Liskeard and Caradon Railway; Glasgow, Paisley, and Greenock Railway; Birmingham and Gloucester Railway; Bethnal-green Improvement; Thames Lastage and Ballastage; Portsea Improvement; Glasgow and Three-Mile House Road; Clifie-cum-Lund Inclosure; Glasgow City and Suburban Gas.

3ª· and passed:—Anderton Carrying Company.

PETITIONS PRESENTED. By the Marquess of Breadalbane, from Kilmadock, Ayr, and Maybole, for Settling the Scotch Church Question.—By the Earl of Mountcashel, from several places in Ireland, against further Alterations in the Corn-law; and against the Tariff.—By Lord Lilford, from Warrington, for Medical Reform.—From the Nenagh Poor-law Union, against the Irish Poor-law.

CHURCH OF SCOTLAND—SECESSION.] The Marquess of *Breadalbane*, in presenting petitions respecting the church of Scotland, said that their Lordships had with regard to the church of Scotland, acted on a policy that was inconsistent with the principles of civil and religious liberty. The people of Scotland were now taking up the question amongst themselves, as they had lost all confidence in their Lordships' wisdom, and the result had been, that an alarming secession had taken place no less than 400 ministers having seceded. Now, for his part, he placed no confidence in the Government and his noble Friend opposite (the Earl of Aberdeen) had been so tardy in bringing forward his measure, that he (the Marquess of Breadalbane) had lost all confidence in the measure, and he believed it would now be incapable of healing the wounds so deeply inflicted on the vital principles of the church. Any measure the Government might bring forward would now be too late. The conduct of the Government towards the people of Scotland had been hostile to one of the first principles of good statesmanship, which was, that there should be no interference with the religious principles of the people. He maintained that the policy of the Government with respect to Scotland had been hostile to the principles of civil and religious liberty.

The Earl of *Aberdeen* said, his noble Friend must be perfectly aware that no such event as that to which he had referred could possibly take place in Scotland, without receiving the attention of Government. He had stated before, that nothing which had occurred would have the effect of altering the intentions of her Majesty's Government upon this subject. He said so still. With respect to what the noble Lord termed the tardiness of the Government, he begged to give notice that, in consequence of what had taken place, he would, in the course of the next week, introduce a measure for regulating the settlement and admission of ministers.

Petition laid on the Table.

REPEAL OF THEUNION.—(IRELAND.)] The Marquess of *Londonderry* stated that it had been very generally rumoured that Mr. O'Connell, Lord Ffrench, and other magistrates who had attended repeal meetings, had been very properly dismissed. He was anxious to know from the noble Duke if such was the fact.

The Duke of *Wellington* observed that if his noble Friend had given him notice of his intention to ask such a question, he could have prepared himself with his official documents. He had not seen them, but he had every reason to believe such to be the fact.

The Earl *Fitzwilliam* remarked, that whenever it might be deemed necessary that this subject should be discussed, it would be desirable that their Lordships should have the reasons stated to them on which the Government had taken this step.

The Marquess of *Londonderry* could not, he said, but feel very happy in the answer that had been given to him by the noble Duke. He was anxious on this subject, perhaps more than any of their Lordships; and therefore he could not but feel much with respect to these meetings, the object of which was to put an end to that union, for the maintenance of which he felt so much interested. His feelings were interested on this subject, being closely connected with a minister (Lord Castlereagh) who, he believed in his conscience, had done more than any other Minister that ever existed to accomplish one of the most important, as well as the gravest measure, that had ever been completed—a measure that, when accomplished, both branches of the Legislature, and the Sovereign, after forty years' experience of it, had declared to be the most important to this country. When, then, he saw and felt that there were meetings taking place, he could not but lament—

The Marquess of *Lansdowne* took the liberty of calling the noble Lord to order. He did not wish to deprive the noble Lord of the opportunity of expressing his sentiments on a subject on which it was natural, on account of the particular connection to which the noble Marquess had referred, that he should be anxious to make some allusion; but then he ventured to submit to the noble Marquess, as from the answer of the noble Duke he was only able to announce that a fact had taken place, and was not then prepared to give an explanation on the subject, whether it would not be better, whether it would not be more consistent with order, to defer his observations to a period, which could not be far distant, when the noble Duke could give them the explanation that the noble Lord desired.

The Marquess of *Londonderry* would not then say one word further. But when the noble Duke gave his answer, it would be quite impossible, connected as he was with the minister to whom he had referred, that he should allow the merits of that great statesman to be overlooked, and that, too, without at least raising his humble voice in his favour.

Subject at an end.

DISTRESS—IRELAND—CORN-LAWS—THE TARIFF.] The Earl of *Mountcashel* had some petitions to present to their Lordships, to which he was anxious to call their most serious attention. It was well known, that Ireland was, at the present moment, suffering the greatest hardships and privations; and, in support of that statement, he would take the liberty of reading to their Lordships a short extract from the report of the Poor-law Commissioners, which, he believed, would have more effect with them than anything he could offer to their notice. In the commencement of the 3rd report of the Poor-law Commissioners on the condition of the people of Ireland, in 1836, they state—

"That agricultural labour exceeds the demand—that agricultural wages vary from 6*d*. to 1*s*. a-day, and that the average earnings of the whole class is from 2*s*. to 2*s*. 6*d*. a-week."

The Poor-law Commissioners thus continue:—

"Thus circumstanced, it is impossible for the able-bodied in general to provide against sickness, or the temporary absence of employment, or against old age, or the destitution of their widows and children, in the contingent event of their own premature decease. A great portion of them are insufficiently provided at any time with the commonest necessaries of life—their habitations are wretched hovels—several of a family sleep together upon straw or upon the bare ground—sometimes with a blanket—sometimes even without so much to cover them; their food commonly consists of dry potatoes, and with these they are at times so scantily supplied as to be obliged to stint themselves to one spare meal in the day. There are even instances of persons being driven by hunger to seek sustenance in wild herbs; they sometimes get a herring or a little milk, but they never get meat, except at Christmas, Easter, and Shrovetide; some go in search of employment to Great Britain during the harvest—others wander through Ireland with the same view. The wives and children of many are occasionally obliged to beg—they do so reluctantly, and with shame, and in general go to a distance from home that they may not be known."

That statement was made in the year 1836, and it was borne out by a letter of Mr. Senior, dated the 14th of April, in which he stated, that the great bulk of the Irish population were agricultural, and that a large proportion of them were out of employment. But their Lordships should bear in mind, that the Irish peasantry were far better off in 1836 than they were at present; and although since then they had had a Poor-law enacted, and had erected 130 workhouses capable of giving accommodation to 20,000 paupers, still it must be quite evident to their Lordships that a large proportion of the unemployed labourers were wholly unprovided for. In addition to all that, distress had of late augmented to a frightful extent; and he proposed, as he went forward, to point out the causes. The petitions he held in his hand, complained of the increasing distress, and they stated, that during the last year or two, the pecuniary difficulties of the country had been fearfully augmented. It was the fact that such had been the case, and therefore it was that he wished to call their Lordships' attention not simply to the condition of the poor and labouring classes, but to the condition of the whole of Ireland from the highest to the lowest. With regard to the landowners, they were in a state of distress unexampled—the distress of the farmers was also unexampled, and many of their Lordships present, who were connected with Ireland, would bear him out in that statement; then if they looked at the condition of the agricultural and labouring population, it would be found that they were in a state of destitution and poverty far exceeding anything that had been previously known in that country. In these petitions it was stated, that the agricultural distress was occasioned by the recent Corn-law, which did not afford ample and sufficient protection to the home produce; and to the tariff, which did not afford the agriculturists a remunerating price for their cattle. Before he entered upon the subject, he wished to state that he had not the slightest doubt the agricultural interests of the country had, for a series of years, been sacrificed more than any other class. The first blow they received was that in 1815, when, after the peace, a very great fall took place in agricultural produce—the landlords were placed in an extremely difficult position, and the consequence was a great fall in the value of rents, and corresponding reductions in other departments. He mentioned that, in order to show the position in which the landowners were placed: many of them, in their wills and marriage settlements, saddled their estates with the payment of large sums, believing that to be the real and permanent value of the land; and the consequence was, that as marriages took place, and parties died off, the land being saddled with a fixed charge, became unable to pay the burthens laid on it, after that change in the value of agricultural and landed property took place. However, the landowners bore that with the utmost temper and patience, and he believed their forbearance had been frequently referred to, even in that House; but it was supposed, at that time, that no further blow would be inflicted. What followed? A few years afterwards, (in 1819), another blow was struck at the landowners, and that arose from the bill called the currency bill. He was not going to trouble their Lordships with a detailed account of the operations of the currency bill, but it had the effect, while it reduced the incomes of the landowners to double their liabilities. He was desirous of giving their Lordships an illustration of all the losses the landowners had sustained, and he held in his hand a statement showing what prices were during the war and since. In 1812, wheat was at 126*s.* the quarter, the average price being 31*l.* 10*s.* the load. Now, in 1842, the average price was 57*s.* the quarter (in the present year it was still lower), being equal to 14*l.* 5*s.* the load, and even that price the farmers would be very glad to get. So that at present it took six and-a-half loads of wheat to purchase 100*l.* Government stock; while in 1812 it could be purchased for three loads. That would show their Lordships the great losses the landowners had sustained, but still they struggled on. The third blow had been recently inflicted; and, for his own part, he believed that it had completely crippled the agricultural industry of Ireland, and that many would not be able to withstand it. The farmers who held upon long leases were oppressed in the most unjust manner, and would, he feared, be entirely swamped by the operation of the measures to which the petitioners referred. In the present day, the landowners, farmers, and labourers, had all suffered, and he believed to a much greater extent than the English agriculturists. The petitioners stated—

> "That poverty and distress, which was now so generally complained of, must be attributed to the baneful effect of the Corn-laws, and to the recent tariff, by which foreign corn, cattle, and provisions were permitted to be brought in for the benefit of the foreigner, and the total ruin of the Irish agriculturist."

He must say, that he fully concurred in that statement. He knew that it had been said, that a great fall had taken place last year in the price of corn and cattle by reason of the panic, but he feared that was a panic that would long continue, inasmuch as it resulted from the door being opened to the introduction of foreign provisions, which had been before excluded by reason of the duties imposed for the protection of native agriculture. The public were now aware that facilities were given for the introduction not only of corn but also of cattle and cured provisions to any extent. The public were aware that there were many places where these articles could be obtained at a very cheap rate, and that speculators had taken measures to procure them on a great scale, and have them regularly shipped to this country. It was true that a small portion only had been as yet received; but the knowledge that measures had been taken to obtain a large supply, must operate to produce a reduction in price, and to lower the value of all descriptions of agricultural produce: and thus the farmer, when he sent his produce to market, could no longer obtain the price he was in the habit of receiving; he was therefore compelled to dispose of his produce at a ruinous loss, and he could no longer maintain his position; he was unable to pay his rent or give employment to agricultural labourers—because he felt he was more likely to incur a serious loss than make a profit by it. Not being able to fulfil his engagements towards his landlord, the farmer was compelled to give up his farm, and he believed that was taking place to a great extent, even in England, producing greater distress and privation among the lower classes, from want of employment than ever was known before. Confidence had been shaken to a great extent and had had the most ruinous effect. Formerly the landowners could raise money on the security of their property, but now they found the greatest difficulty in doing so. What was more extraordinary was, that, at a time when the agricultural and the manufacturing interests were in the greatest distress, money was more abundant in London than ever it was known before. Millions were lying totally unproductive in the coffers of the Bank of England, while there was the greatest want of capital in Ireland. It showed that there was something diseased in the body politic, and it resembled a man whose blood did not circulate healthfully through his veins and arteries, but was all concentrated near his heart, and thereby produced the most serious disease. He was quite satisfied that the petitioners were right as to the cause, and that agriculture had been totally prostrated by the measures which had recently passed through that House. Now, first, with regard to oats, which was the chief article of Irish produce imported, the fact being, that for the last twenty years the average quantity of wheat imported into England had not exceeded 400,000 quarters; while of oats there was something nearer 2,000,000 quarters annually. Oats, then, he referred to as being the great produce of Ireland; and by the late act there was only a duty of 8*s*. to protect it. During the last year the greater bulk of all the oats had been sold at 5½*d*. to 6*d*. per stone: and he would ask whether that was sufficient to remunerate the farmer for his labour and capital? With regard to the price of cattle he could say, that in the north of Ireland it had been reduced to a frightful extent. Meat, which was formerly 6*d*. to 7*d*. per lb., was now down to 2*d*. or 2½*d*.; and, a short time since it was as low as 1½*d*. per lb. It had been stated to him that the 36th regiment, when stationed in Limerick, had contracted to be supplied with meat at 1½*d*. per lb. That might be doubted, but the gentleman who had furnished him with the information had written to the commanding officer of the regiment, and had ascertained that such was really the case. Now, he asked, how was it possible that the farmer could exist and pay his rent and taxes, and local charges, not forgetting the poor-rate—the most grievous of all? He asked, how was he to do all that, when the price of agricultural produce was reduced so low? Noble Lords were not perhaps aware of all this; they were perhaps acquainted with what was taking place in the manufacturing districts; but they did not know what was taking place in the agricultural parts of the country, and could not be expected to feel for the distress of which they knew nothing. He thought it right to call the attention of the House to the effect of the system of free-trade that had been begun by noble Lords on the other side of the House. They were allowing articles of food to come into the country to interfere with the home producer; and they were allowing manufactures to come in and interfere with the industry of the country. They were thus injuring the country in both ways; and while they opened the door wide to foreigners, they seemed to forget that those foreign countries were excluding English produce. No less than six hostile tariffs had been recently directed against that country in different parts of Europe, and while foreigners considered they were totally independent of England, it would seem as if England were entirely dependent on them. That was a course that could not long be persevered in; their Lordships might believe that they were doing right, and he gave them every credit for good intentions; but the course was one which they could not pursue for any length of time without discovering that the result would be as injurious to the manufacturers themselves as to the agriculturists. They would cut off the ways and means of the country. They seemed to forget that the country was in an artificial state—that, while many other countries had merely a nominal debt, they were encumbered with one of nearly 800,000,000*l.*; and that they must, in order to act fairly by the public creditor, and pay their dividends, raise a sum of 29,000,000*l.* annually, over and above the necessary and ordinary expenses of the Government. It was that that made the great difference between England and foreign countries, and if they were to adopt these measures it would be better for them to have free-trade altogether. Having so great a debt to provide for, England was in a totally different position from other countries. Their Lordships were aware that the greater portion of these taxes were raised by indirect taxation on the articles consumed by the public, and if they adopted measures which would have the effect of diminishing the means of the public, whether they were landowners, farmers, labourers, agriculturists, manufacturers, shopkeepers, or tradesmen—if they adopted measures that would curtail the incomes of these parties, whether derived from profits or wages, they immediately took away from them the power of consuming to the same extent as formerly. It might be said, that these measures would not produce any such effect, but he had shown that it had done so with regard to rents and wages, and, with regard to the profits of the farmers, he thought he had stated some facts to show that they were considerably diminished—all these classes, not having the same amount of money in their pockets, were necessarily unable to consume the same amount of corn, provisions, or manufactures they formerly did. It ought to be borne in mind, that four-sixths of the manufactures were consumed by the home market, and were altogether unaffected by their foreign trade. The necessary result of the distress consequently was, that there was a considerable falling-off in the revenue; and that he had no doubt would continue, although, by great exertions in some one quarter, matters might appear to be improving. Adam Smith had well said, that "the wealth of a nation consists in the wealth of its people;" but if Government adopted measures to cripple the resources of the people, the result must be a falling off in the consumption—and a great increase of the existing distress. It appeared to him that the adoption of measures of free-trade would lead inevitably to that. They were suffering from them at present, and so long as they persisted in them, so long, he foretold, would there be distress and suffering among all classes of the country. He would take the liberty of calling the attention of their Lordships to one of the reports of the committee of the Chamber of Deputies of France on the subject of commercial tariffs. He found that a committee of the Chamber of Deputies reported in 1832 as follows:—

> "If we admitted the food, and raiment, and metals, and colonial and other objects, which strangers would bring to our ports, we might probably gain some hundreds of millions. Should we be the richer in consequence?—for the riches of a state are in the elements of labour, and when labour fails to find employment, misery is reproduced. And it is not only a question of comfort, but one of existence, for if wheat were introduced without duty from the Baltic or Black Sea, our maritime shores would remain uncultivated, and the effect of a ruinous competition would affect, more and more, nearly the whole of our agricultural population."

Such was the declaration of a committee of the French Chamber; and when he called to mind that in France bread was so much cheaper, and provisions generally so much lower than in England, it was somewhat singular that even French statesmen were afraid to adopt a measure for increasing the facilities of introducing foreign provisions. He wished from his heart the Government would take a lesson from them, because in that declaration he thought was contained the soundest policy and the greatest anxiety for the welfare of the people. The matter paramount in their minds was the interest of the home producers; while, on the other hand, he feared the advantages the Government expected to derive from the measures they had adopted, would be scarcely equivalent to the misery, and distress, and ruin that would be entailed upon the people. He thought, the French had in that taken a leaf out of the book of this country, for that was its policy in ancient times; while the Government now was going astray, and other nations were reaping the benefit of its errors. It might be said, that Ireland had escaped the infliction of the property-tax, and therefore had no right to complain; but he believed the Government had acted wisely in not imposing that tax on Ireland, because to impose it upon that impoverished country, would only retard her progress in the way of improvement. He would just state a few facts to give their Lordships an idea of the comparative wealth of the two countries. In 1831, the rental of all Ireland was 12,715,578*l.*

per annum; while the rental of England, at a later period (1841), was 59,685,412*l.* Again, he found that the amount of imports into Ireland in 1841, was 1,696,355*l.* —while in England, in the same year, it was 62,684,547*l.* The exports from Ireland, in the same period, were 460,965*l.*; while those from England were 51,217,603*l.* The amount of legacy duty was also a pretty good criterion of the wealth of a country. For one year in Ireland, the amount of capital on which it was paid was 4,488,265*l.*, while in England it was 42,748,560*l.* Nothing could more clearly show the comparative poverty of Ireland. Again, the amount of stamps used in Great Britain in 1841 was 7,049,000*l.*, while in Ireland it was only 463,903*l.* Now, if Ireland was so exceedingly poor, was it wise or just to impose on her the same amount of taxation as England was subjected to? As it was, however, England had been for several years imposing upon Ireland various taxes which she had not been accustomed to. Within the last few years, many duties had been assimilated to those paid in England, whereas, formerly they were not more than half. Then again, a few years ago, the expense of the police establishment had been all defrayed by Government, but, by a recent act, half the expense was to be borne by the counties, and although their Lordships did not hear much of the local taxation of Ireland, he could assure them that it was extremely high. In some instances, it amounted to 7*s.* or 8*s.* per acre, as was the case with himself; and that was certainly a large sum to be deducted from the produce of the estate. In the county of Cork, where he resided, there was no less a sum than 10,000*l.* paid for the police establishment, and which rendered the taxation extremely heavy. He would give their Lordships one instance of the bad effects of an assimilation of the duties. A few years ago, the duty on glass was only half what it was at present. At that period, being anxious to improve the condition of the peasantry on their estates, who, for the most part, as noble Lords were probably aware, live in the most wretched hovels, many of their cabins having nothing but a small hole, without any window, he as well as other Irish landlords, purchased a large quantity of glass for that purpose. But the price was suddenly raised from 3*l.* to 6*l.* per crate, and the effect was to put a sudden stop to the improvement and civilization of the lower orders in that country. The establishment of Poor-laws (in his opinion the worst measure of all), had been recommended—an extensive system of emigration had been also advocated, and the employment of the people on public works; and he believed, that if these latter were promoted, it would advance the country a century, and give a great impetus to trade. Their Lordships had heard much of the pressure from without, but he feared, from the rapid increase of the population, that the pressure from within would soon become irresistible, if vent was not given to the surplus in the only valuable and legitimate mode, an extensive system of emigration. They were all aware of the present condition of Ireland, and he was sure they all deeply deplored it, and were sorry to see the Irish people led astray as they were, by a man whom he believed they would all agree with him in saying was the greatest enemy to the country that ever lived. They all saw the power he exercised over the people, but why had he that power? Was it not natural that when millions of the people were in a state of destitution, misery, and starvation—when they were reduced to a state of desperation, that they should be willing, at the beck and nod of any demagogue, to do what was told them? It was easy for a man of talent and experience to address inflammatory speeches to men so circumstanced. He could depict, in glowing colours, their misery, which he called their wrongs; he could turn their abject state to his own purposes, and accuse England of being the cause of their misery. By turning their unhappy and destitute condition adroitly into a grievance, he could inflame the minds of the people, and turn them to his own purposes. The only way, he believed, in which the people could be tranquillized, was to give them employment, and make their condition more comfortable. Let the Government prove that it was anxious for their welfare, and ready to devote a portion of the wealth of the community for their benefit—let their Lordships show the people that such was their wish, and convince them that they were really and sincerely their friends; and he, who knew something of the people of Ireland, could assure them that when the Irish were convinced that their Lordships were anxious to promote their advantage, their hearts would warm towards them; and, instead of being discontented with their position, they would take every possible occasion to preserve the connexion between the two countries. In their present condition, they must naturally feel opposed to England, and such would be the case so long as they considered that they were merely under the yoke of England, that any change would be for their benefit, and that they could not be worse than they at present were. When men were reduced to the lowest ebb of poverty, they must naturally feel discontented; and therefore it was not upon the whole to be wondered at that thousands, nay millions, he feared, were anxious for the dismemberment of the empire, which he, for one, trusted the Almighty would never permit.

Earl *Fitzwilliam* did not propose to follow the noble Earl through all the topics of his speech, which were of too multifarious a nature for him to notice every part of it. He must say, however, that there was one subject the noble earl seemed to have forgotten. The noble Earl had complained of the distress and suffering of Ireland, which were not of yesterday, and the noble Earl took no notice of the Act of 1815, which to his regret, he had assented to. The noble Earl, too, had forgotten in his observations the great feature of the present Session—that feature on which the eyes of all Englishmen was fixed—fixed now in anticipation of its benefits—fixed in contemplation of it in progress, and soon likely to be fixed on it as completed. The noble Earl had forgotten that measure of which he hoped, as he saw two Cabinet Ministers in the House, and one in office, their Lordships would be favoured with an opinion. The noble Earl had forgotten a measure to which he must not, he supposed, more distinctly allude, as it was under discussion in another place, and he was surprised that the noble Earl had forgotten to mention that measure—he meant the Canada Corn Bill. The noble Earl was, nevertheless, deeply interested in a measure which, if he might augur from the division which had already taken place, was likely some day to come before their Lordships. It had been lately stated that Canada was an integral part of the empire; he was glad to hear that; he believed that the statement even went further, as Canada was described as an English county. Canada was to have a Corn Bill, which was certainly a little improvement; but if Canada was to be considered as an integral part of the empire, and even as an English county, was not the converse of that proposition true? If Canada were to be treated as an English county, ought not Yorkshire to be treated like Canada, and have a Corn Bill like Canada; and ought not Devonshire to be treated like Yorkshire, and have the same laws? How then was Canada treated? He was delighted to observe that the Ministers in treating Canada as an English county, had proposed to give Canada the advantage of having wheat imported from America—from all foreign countries, he was reminded by a noble Friend—at 3*s.* per quarter. Canada it was said, did not grow enough to supply its own wants, and this measure went to enable the people to supply themselves. He was glad that the people of Quebec were to eat their bread, paying only 3*s.* per quarter for their corn, and he wished that the people of Sheffield had the same advantages. He saw his noble Friend opposite (Lord Wharncliffe), who did not share his opinions, but who, he had no doubt, would confirm what he said, that in the town of Sheffield at this time there were upwards of 2,000 houses uninhabited. That was a fact which he thought of great importance, and worthy of their Lordships' consideration. He thought that they could not deny if Sheffield could receive American corn like Canada, that it would obtain returns for its manufactures; but by keeping out American corn from Sheffield, the manufactures of Sheffield had been kept out of America, and the Americans had begun to manufacture for themselves. That had inflicted a great blow on the industry of Sheffield, and the importance of that must be evident from the fact that the number of houses uninhabited showed that not less than 12,000 people were injured by it. Again, he repeated, that he rejoiced that the inhabitants of Quebec were to have their wheat at a fixed duty of 3*s.* per quarter, and he hoped it would not be long before Manchester, Birmingham, and the other towns of England, would obtain the same boon from the hands of the Ministers that considered Canada as an integral part of the empire. It was not a ground of complaint that Canada was so treated, but it might be expected that other parts of her Majesty's dominions should be treated in the same way. He supposed that there was no doubt whatever that American corn would be introduced into Canada at a fixed duty of 3*s.* and though that question was not under discussion, he could not avoid expressing a hope that the law which was to be applied to the other side of the

Atlantic should be applied here. The people of England thought they ought not to be taxed to pay for the jointures and dowers, allowances for younger children with which certain landowners had burthened their estates. That was an argument which the people might say there were two ways of meeting. They were certainly indebted to the noble Earl for disclosing the motives and the arguments which induced certain members of the aristocracy to propose and defend a corn-law as a means of relieving themselves from their burthens. The noble Earl, in defending the law, had recognised the fact that the law-makers had kept up the price of corn with a view of enabling them to bear the charges on the land. But did it not occur to the noble Earl, that instead of passing the Corn-law of 1815 to keep up the price of corn, it might have been as well if the jointures, and dowers, and provisions for younger children, had been reduced from 1,000*l.* to 800*l.* or 400*l.*? They might cut off the other end of the stick. They might have taken the burthens off land by lessening jointures and provisions for younger children. All the people of England ought not to pay an increased price for their corn in order to pay certain jointures. His noble Friend (Lord Wharncliffe) might shake his head; but it would be more just, instead of laying on a Corn-law, to reduce the incumbrances on land. He suggested whether such a course would not be a better remedy than adding to the price of corn to relieve themselves. He hoped the noble Earl, in carrying out his principle, would give notice that he would next Session bring forward a motion to re-enact the Corn-law which existed before the late alteration of the Corn-law of 1828.

Lord *Wharncliffe*, while he admitted the hardships under which Sheffield was labouring, differed from his noble Friend when his noble Friend supposed that Sheffield would be relieved if it were placed on the same footing as Quebec. Did his noble Friend really believe that the Corn-law caused the interruption to the trade of Sheffield? [Earl *Fitzwilliam*. "Yes, I do"]. It was his firm persuasion that such was not the case. That law had no influence in inducing America to put on her high duties, which were put on for purely fiscal reasons, and, having been put on were the cause of the disturbance of the trade of Sheffield. Thereto must be added, that in past years, there had been great speculations in Sheffield, and a greater quantity of goods had been produced and exported than could be taken up. Those were the causes of the distress of Sheffield, and he differed entirely from his noble Friend, who ascribed the condition of that town to the Corn-law.

Earl *Fitzwilliam*, in explanation, was understood to say that he did ascribe the distress of Sheffield chiefly, if not altogether, to the Corn-laws. The Corn-laws were, in his opinion, the cause of the American tariff, which was directed against our manufactures. Both the Corn-laws and the tariff prevented the exchange of our manufactures, and together caused that distress which existed in Sheffield.

Lord *Ashburton* denied that the Corn-laws had any effect whatever in excluding the manufactures of this country from American markets. The duties in the American tariff were imposed exclusively for the purposes of revenue, and that tariff would not be moved a single inch, or affected in the slightest degree, if this country was to declare a free trade in corn to-morrow. In point of fact, the tariff of America was not maintained for protection, but for revenue. All parties in America disclaimed the principle of protection, and if American corn was admitted into this country to-morrow free of any duty whatever, it would not make any alteration in their tariff. With respect to Canada, the law, as it at present stood, admitted American corn into Canada free of duty, and, when that corn was ground into flour, it was admitted into this country at a very small duty, which had averaged very little more than two shillings a quarter. If nothing else was wanting but an introduction of corn to set the manufactures of Sheffield into activity, his noble Friend might rest assured that there was nothing whatever in the existing Corn-laws to prevent that return to prosperity. He was surprised to hear the noble Earl treat this as a question merely involving the settlements of the aristocracy. The noble Earl might have been so little occupied with considerations respecting his own order as to be induced to view the question in that way; but he owned that he was surprised to hear the noble Earl treat a great question of this kind as a question of dowries and jointures. He hardly knew any country in the world in which some measure of this kind was not maintained, either as a protection or as a compensation for some charges to which the land was subject. A system of protection, or by whatever name else they pleased to call it, was maintained in every part of the world. France had it; so had Holland; and they found the same thing existing in Spain and Portugal and other countries; and even in America itself it existed. They had the President of America telling his fellow-citizens that he did not think it safe for any country in the world not to maintain such a protection for its agriculture as would enable the people to exist without depending on a foreign supply. To treat this question as a question of dowries and jointures was to treat it in a very shallow manner. [Earl *Fitzwilliam*: It is not my argument. *Non meus hic sermo*.] He believed that a reasonable and moderate protection for agriculture was beneficial to all classes of the community, and enabled this country to secure a supply of food under all circumstances.

Lord *Monteagle* was desirous to correct a mistake of the noble Lord, in supposing that the argument respecting encumbrances on landed property had come from his noble Friend (Earl Fitzwilliam.) His noble Friend, on the contrary, had exposed the fallacy of that argument. The argument had come from the other side. It had been used by the noble Earl (Mountcashel), and he believed that he was not the originator of it; for, unless he was misinformed, the noble Earl had high authority for using that argument, as it had been made use of by a Cabinet minister during the present session of Parliament. He was glad that they had the high authority of the noble Lord (Ashburton) for exposing the fallacy of that argument. He wished it was true, as the noble Lord had stated, that the American tariff was maintained only for the sake of revenue. If, as the noble Lord said, the Americans disclaimed protection, then they were wiser than their Lordships. But he thought that if the Americans maintained their tariff merely for purposes of revenue, then, he thought, that if such was their object, they would have reduced all duties to that amount that would render them most productive. One word as to the petitions presented by his noble Friend (the Earl of Mountcashel). He would entreat his noble Friend to consider whether he were right in thinking that the Irish were mainly interested in the maintenance of those restrictive laws. He believed that no part of the empire had suffered more from the Corn-laws than Ireland had since 1815. The tendency of that and all similar measures was to produce a fluctuation of price greater than had ever previously been known. It was well known that the competition for land in Ireland was so great that farmers were induced to offer a higher price than in many instances a judicious landlord would accept, and those restrictive measures, by the uncertainty and fluctuation of price they occasioned, had a tendency to encourage that competition. He differed from his noble Friend in thinking that the complaints of the Irish people were at all justly attributable to the Corn-law or the tariff of last year. He believed that they were in no respect to blame. The main cause of distress in Ireland was the want of employment, and the diminished power of consumption occasioned by the falling-off of their trade. This was the cause, and not the tariff or the Corn-law of last year.

Lord *Ashburton*, in explanation, said that the tariffs alluded to as having been passed in the United States were passed for purposes of revenue only, and although some of the States might have looked at them in a favourable view, as affording protection, yet it was not for that object they had been passed.

The Earl of *Radnor* said, with respect to the fluctuations in the price of corn which had taken place in countries which exported corn to this country, that those fluctuations were caused by the operation of our Corn-laws, for it was evident that the holders of corn in such countries would raise the price of corn, in consequence of an increased demand for corn on the part of England. The price of corn was now low, and he must remark that if the law did not produce the effect of raising the price of corn, it gave no protection.

The Earl of *Stradbroke* said, that the depressions of price was caused by the great quantity of foreign corn that had been ordered before it could be known of what description the harvest would be.

Petitions to lie on the Table.

Their Lordships adjourned, at a quarter past eight o'clock.

HOUSE OF COMMONS,

Friday, *May* 26, 1843.

MINUTES.] BILLS. *Private.*—2ᵒ· Hawkins's Estate.
Reported. — Argyllshire Roads; Chalgrove Inclosure; Eglwysrhos, etc. Inclosure; Topsham Improvement;

Leighton Bussard Inclosure; Saltcoats Harbour; Kentish Town Paving; Liverpool Watering; Southampton Cemetery; Anderston Improvement and Police.

3^{a} and passed:—Bannbridge Road (No. 2); Glasgow Marine Insurance.

Petitions Presented. By Messrs. B. Hawes, Ewart, W. O. Stanley, R. Yorke, Ward, G. Berkeley, B. Smith, Standish, Busfeild, Leader, W. Cowper, Aldam, Barnard, M. Philips, Thornely, T. D'Eyncourt, J. Jervis, Evans, Villiers, S. Crawford, Cobden, P. Howard, P. Scrope, Tufnell, and G. Byng, Sirs G. Grey, G. Strickland, J. Duke, G. Staunton, and B. Hall, Lords Duncan, Arundel, R. Grosvenor, and Listowell, the Lord Mayor, Captain Pechell, Colonel Wood, and Colonel Paget, from an enormous number of places, against the Factories Bill; and by Mr. S. Wortley, from ten places, in favour of the same.—By Messrs. Bennett, and Neeld, and Sir John Tyrell, from fifteen places, against the Canada Corn Bill.—By Mr. Hutt, and other hon. Members, from a number of places, for the Total and Immediate Repeal of the Corn-laws.—From Newcastle, for carrying out Rowland Hill's Plan of Post-Office Reform.—From six places, against the Union of the Sees of St. Asaph and Bangor.—From York, for a measure to compel the Payment of Church Rates.—From Lambeth, for the Redemption of the Bridge Tolls.—From Tomregan, against any further Grant to Maynooth College; and for Education in Ireland.—From Ballinasloe, for Encouraging the Church Education Society's Schools.—From Sackville Walter Lane Fox, Esq. M.P., against the County Courts Bill.—From the Bakers of Waterford, against Night-Work.

Canada Corn-Law.] House in committee on the Canadian corn resolutions.

Lord *Stanley* moved the following resolution:—

"That on the 12th day of October, 1842, an act was passed by the Legislative Council and Legislative Assembly of the Province of Canada, and reserved by the Governor-General for the signification of her Majesty's pleasure, imposing a duty of 3*s.* sterling money of Great Britain on each imperial quarter of wheat imported into Canada except from the United Kingdom or any of her Majesty's possessions, and being the growth and produce thereof.

"That the said act recites, that it was passed in the confident belief and expectation, that upon the imposition of a duty upon foreign wheat imported into the province, her Majesty would be graciously pleased to recommend to Parliament the removal or reduction of the duties on wheat and wheat flour imported into the said United Kingdom from Canada:

"That in consideration of the duty so imposed by the said act of the Legislature of Canada, it is expedient to provide that, if her Majesty shall be pleased to give her sanction to the said act, the duties imposed upon wheat and wheat flour, the produce of and imported from Canada into the United Kingdom, should be reduced:

"That, from and after a day to be named, and thenceforth during the continuance of the said duty, in lieu of the duties now payable upon wheat and wheat flour, the produce of and imported from Canada into the United Kingdom, under the provisions of an act passed in the last Session of Parliament, intituled, 'An Act to amend the Laws for the Importation of Corn,' there shall be levied and paid the Duties following, viz.—

"For every quarter of wheat, the produce of and imported from Canada, 1*s.*

"For every barrel of wheat meal or flour, the produce of and imported from Canada, being one hundred and ninety-six pounds, a duty equal in amount to the duty payable on thirty-eight gallons and a half of wheat."

Lord *J. Russell* said, if he should succeed in inducing the House to adopt his amendment, there were other words, besides the part of the resolution to which he should first object, which it would be necessary to omit also. The words which he should now propose to omit were the whole of the proposed paragraphs down to the words, "That, in consideration." He objected to this part of the resolution, because it rendered the legislation of the Imperial Parliament contingent upon that of the provincial legislature. That was one of the grounds on which the measure had been introduced to the House. He thought that the Legislature of the United Kingdom should be free on that as on all other measures submitted to its consideration; but in this instance it was not free, because the Legislative Assembly of Canada made their legislative act dependent on our passing a particular measure. If, then, we passed an act founded on this resolution we should to all intents and purposes be making the Legislature of this country be dependent thus far upon that of Canada, and we should in effect restore the 5*s.* duty. If they passed the proposed measure the Legislature of Canada might hereafter think they had made a bad bargain by the duty of 3*s.* per quarter on the wheat imported from the United States, and might repeal the act for imposing such duty. What then would be the course left for this country to pursue? Would it not be necessary for the Imperial Legislature to alter the proposed law so as to meet the new state of the case? In a word, the whole question would be complicated by making a legislative enactment of the Imperial Parliament dependent on an act of the Legislature of Canada. On these grounds he objected to this part of the resolution and concluded by moving its omission.

Lord *Stanley* might appeal to the right hon. Gentleman the Member for Portsmouth (Mr. Baring) to answer the objection of the noble Lord—for that right hon. Gentleman had taken an opposite view, and had distinctly stated, that the proper course to have pursued last year was to enact, that if the Legislature of Canada should think fit to impose a duty of 3*s.* per quarter on wheat imported from the United States, in such case the admission of Canadian wheat and flour imported into this country would be subject to no more than a nominal duty. This certainly was not consistent with the view taken of the question by the noble Lord (Lord John Russell), for his objection was, that the proposed measure would make the Imperial Parliament dependent on the Canadian Legislature. This he must deny. The course taken was this: the Government waited to see what course the Canadian Legislature would take. They did take the course of imposing a duty of 3*s.* on wheat imported into Canada, and then they asked to have that act sanctioned by her Majesty and to have a bill passed such as was now proposed, for allowing their wheat and flour to be admitted into this country at 1*s.* per quarter. Surely this was not making the Imperial Legislature dependent on the provincial Legislature of Canada. It was just the reverse. It was making the Canadian Legislature dependent on the view which the Imperial Legislature might take of the case; but it was objected that the Canadian Legislature might think that they had made a bad bargain, and might repeal the act imposing the 3*s.* duty on the importation of foreign wheat. They were, no doubt, free to do so; but let it be recollected that the act must receive the sanction of the Crown. Let it also be considered, that if Canada repealed the 3*s.* duty, she would thereby lose all the benefit which she derived from the now proposed measure. It might happen that Canada might be advised to take that course. It might even happen that some future minister of the Crown might advise the free admission of American corn into Canada; but he would not trust to the discretion of any future Minister on this matter, for the bill about to be introduced would explicitly enact, that the free admission, or what was nearly so, of Canadian corn and flour into this country was made on the faith, that if the conditions on which it was based were violated, the benefits which it was intended to confer on Canada would be withdrawn. He, for one, would never ask the agricultural interest to agree to this bill without at the same time taking full security for the due fulfilment of the conditions on which it was passed. It would, therefore, be well known by Canada that she was to have the benefits intended for her by this measure so long only as, and no longer than, the conditions on which they were given were to remain in force.

Mr. *F. T. Baring* was not disposed to shrink from any language which he had ever used with reference to this question. He did not quarrel with the noble Lord's version of what he said, but he did most strongly object to the construction which the noble Lord had put upon his observations. That construction, he must say, was most unfair. The noble Lord had not dealt in a frank and open way with regard to his intention respecting the introduction of Canadian corn. The information conveyed to Parliament was of a limited and partial character. Parliament had no knowledge of the noble Lord's despatch, or what he was about to do. The noble Lord should have stated at the time what his proposition was, and, then, without any reference to the question, whether that proposition which he had submitted to the Canadian legislature was a judicious one, no misunderstanding would have arisen. He would ask, whether, last Session, there was any Member on that (the Opposition) side of the House who knew what the noble Lord intended to do on the subject of Canadian corn? Whatever the noble Lord thought proper to say with regard to making the acts of the Imperial Parliament contingent upon the course pursued by the colonial legislature, such was the fact. This act of Parliament was necessarily dependent upon the course adopted by the Canadian legislature. The Imperial Parliament said, "If you," the Canadian legislature, "will impose a duty of 3*s.* a quarter, we will remove certain restrictions which now exist upon the introduction of Canadian corn into this country." Such was the fair and legitimate construction. It was not always easy to understand the meaning of the noble Lord.

Lord *Stanley* did not think the noble Lord's explanation satisfactory. The noble Lord said, that the acts of the Imperial Parliament were made contingent or dependent upon the colonial legislature. He said, that such was not the fact, and for this plain and self-evident reason,—before they legislated on the subject of Canadian corn, they knew what course the legislature of Canada had adopted. Acting upon the principle of the hon. Member for Portsmouth, that House would have been dependent upon the acts of the colonial legislature. The proposition which had been submitted to Parliament was not contingent, but consequent, upon the measure which had passed the colonial legislature with regard to the duty upon American wheat imported into the Canadas.

Lord *J. Russell:* Supposing the legislature of Canada were anxious to repeal the bill in consequence of its being obnoxious to the people of the country, the noble Lord said, as long as he remained a Minister of the Crown he would not consent to that repeal. That recommendation the noble Lord would make without any reference to the opinions of the people of Canada. He considered the argument of the noble Lord perfectly untenable. He purposed to bind Canada to a measure which might ultimately prove burthensome to the country. The reasoning of the noble Lord had not satisfied him of the propriety of the course which he proposed to adopt.

Lord *Stanley* wished the House to take a security that neither he nor any other Minister of the Crown would permit the legislature of Canada to repeal an act of the British Parliament, passed for the purpose of granting a boon to Canada. Should the colonial legislature pass an act repealing the one which imposed a duty upon American wheat, then he reserved to Parliament the privilege of reconsidering whether they ought to allow Canadian corn to come into this country at a reduced rate of duty.

Colonel *Sibthorp* depended more on the legislature of Canada than on the noble Member for London, the right hon. Member for Portsmouth, or the right hon. Member for Taunton. He was not in favour of these resolutions, but he could not countenance any underhand means of defeating them. The noble Lord, the Member for London, entertained very different opinions when he was Member for a county from those he now promulgated. He did not know whether the hospitable entertainments at the Mansion-house had any effect in altering his views. He could tell the noble Lord that his present supporter (Mr. Cobden) came from Lincoln with a flea in his ear. There a vote of thanks was proposed to him, and seconded by whom did they suppose? Not by a farmer, but a shoemaker of the name of Roebuck.

Mr. *Labouchere* did not mean to follow the gallant Member through his discursive speech. His opinion had been quoted the other night as if he had suggested that this measure should be refused to the colonial legislature. Now, he thought, that the more convenient and constitutional course on an occasion of this sort was, that the Imperial Parliament, which confessedly enjoyed the power of regulating trade, should dispose, in the first instance, of a measure which not only affected Canada, but our commercial interests generally.

Sir *R. Peel* said, that nothing could be further from his intention than to misrepresent what had fallen from the right hon. Gentleman. The impression on his mind always had been, and it still remained, that when the Customs Duties Bill was before the House, and his right hon. Friend (Mr. Gladstone) proposed to impose a duty of 3*s*. on American flour imported into Canada, the right hon. Gentleman and the noble Lord expressed a strong objection to that step being taken by the Imperial Legislature, and said it ought to originate with the Canadian Legislature. The right hon. Gentleman said that if the Canadian Legislature should pass a measure of that nature, it would be for Ministers to determine whether they ought to give the assent of the Crown or not. The right hon. Gentleman it was true, expressly reserved to himself the right of expressing his opinion upon such a measure, but the question was, whether, in consequence of what had been stated on that (the Ministerial) side of the House, taken in connection with the qualified opinion of the right hon. Gentleman, the Canadian people might not reasonably conclude that if they passed a measure of the nature referred to, it would, probably, receive the assent of the Crown.

Mr. *T. Duncombe* protested against the monstrous and unconstitutional doctrine which had been broached by the noble Lord the Secretary for the Colonies. The noble Lord proposed to insert certain words in the resolution, because, as he said, he would not trust a future Minister to deal with the matter. It was evident that the measure was intended to be a final one, and the words were introduced merely for the purpose of bamboozling the country Gentlemen. He was aware that the country Gentlemen were in an awkward position just now. What between their pledges to their constituents, their attachment to the Government, and their antipathy to the Whigs, they were in a most unpleasant predicament. They smelt a rat, but did not know where to put their hand upon it. He would tell them where the rat was. It was in the Canadian Corn Bill. The noble Lord need not take much trouble about the 3*s.* duty; the Americans would never pay it, and the Canadians would never collect it. Oh, but it was said, "if there will be smuggling after the passing of the bill, why is there not smuggling now?" For this simple reason, that we now collect the duty instead of the Canadians. We collected a duty of 5*s.* under the sliding-scale; but when the duty came to be collected in Canada, the country Gentlemen might depend upon it that it would never be realized. Don't let the country Gentlemen hereafter say that they had been deceived. The measure was intended to be a final one; but the noble Lord had no right to fetter the course which any future Minister might pursue with respect to this subject. The noble Lord had no business to consider, nor had the House any business to speculate upon what might be the opinions of a future Minister. No Minister could act unless he were supported by a majority of the House of Commons.

Lord *Worsley* was understood to express an opinion that the amendment before the House did not go far enough, and, therefore, he would, after the division, propose the amendment of which he had given notice.

Colonel *Wyndham*: Sir, I can tell the hon. Member for Finsbury, that I, for one, am not deceived, and never have been deceived. I was one of the first to speak loudly against the Corn Bill which the Government brought forward last Session. I opposed it in London and in the country. I am determined, as long as I sit in this House, to oppose everything that is connected with free-trade. I wish to stand fairly in the eyes of my constituents, and I wish to stand fairly in the eyes of the country. I voted against the motion of the right hon. Member for Taunton the other night because it was a free-trade motion, and I shall vote against the Canadian Corn Bill because that also is a free-trade measure, and that is not what I like. When the Corn-law Bill was under discussion last year, we were told that we should have wheat ranging from 54*s.* to 58*s.* If I am wrong, correct me; but I believe I am right. Well, what has been the fact? Wheat has been ten or twelve shillings below the promised figure; and let me ask the House — and it is unanswerable common sense, too—if Ministers have been wrong in one set of figures, why should they not be wrong in another set of figures? Look at the right hon. Gentlemen who are sitting there. Are they practical men who know anything about agriculture? Take the right hon. Gentleman the President of the Board of Trade, for instance; I very much doubt whether he knows a cow from a donkey, or a plough from a wheelbarrow. The agriculture of England is the permanent interest of the country; but it is made a handle of. Now I think I have explained my vote.

The committee divided, on the question that the words proposed to be left out stand part of the question.—Ayes 203; Noes 94: Majority 109.

List of the AYES.

A'Court, Capt.
Acton, Col.
Ainsworth, Peter
Allix, J. P.
Arbuthnott, hon. H.
Arkwright, G.
Ashley, Lord
Bailey, J.
Bailey, J. jun.
Baillie, Col.
Baillie, H. J.
Baldwin, B.
Bankes, G.
Baring, hon. W. B.
Barrington, Visct.
Bell, M.
Bernard, Visct.
Blackstone, W. S.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Broadley, H.
Broadwood, H.
Brooke, Sir A. B.
Brownrigg, J. S.
Bruce, Lord E.
Buckley, E.
Bulkeley, Sir R. B. W.
Buller, Sir J. Y.
Bunbury, T.
Burrell, Sir C. M.
Campbell, Sir H.
Cardell, E.
Cartwright, W. R.
Chelsea, Visct.
Chetwode, Sir J.
Cholmondeley, hn. H.
Christopher, R. A.
Clayton, R. R.
Clerk, Sir G.
Clive, hon. R. H.
Cochrane, A.
Collett, J.
Colquhoun, J. C.
Compton, H. C.
Connolly, Col.
Corry, rt. hon. H.
Courtney, Lord
Cresswell, B.
Curteis, H. B.
Damer, hon. Col.
Davies, D. A. S.
Dawnay, hon. W. H.
Denison, E. B.
Dickinson, F. H.
Divett, E.
Douglas, Sir H.
Douglas, Sir C. E.
Douro, Marquis of
Drummond, H. H.
Dugdale, W. S.
Duncombe, hon. A.

Du Pre, C. G.
Eaton, R. J.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Farnham, E. B.
Fellowes, E.
Fitzmaurice, hon. W.
Follett, Sir W. W.
Ffolliott, J.
Forester, hn. G. C. W.
Fox, S. L.
Fuller, A. E.
Gladstone, rt. hn. W. E.
Gladstone, Capt.
Gordon, hon. Capt.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hon Sir J.
Greenall, P.
Grimsditch, T.
Grimston, Visct.
Grogan, E.
Hale, R. B.
Halford, H.
Hamilton, J. H.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Heneage, G. H. W.
Henley, J. W.
Henniker, Lord
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hillsborough, Earl of
Holmes, hon. W. A'C
Hope, hon. C.
Hope, G. W.
Hornby, J.
Houldsworth, T.
Howard, P. H.
Hughes, W. B.
Inglis, Sir R. H.
Irving, J.
James, W.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, Sir J.
Jones, Capt.
Kelburne, Visct.
Kelly, F. R.
Kemble, H.
Ker, D. S.
Knatchbull, rt. hn. Sir E
Knight, H. G.
Lambton, H.
Lascelles, hon. W. S.
Lawson, A.
Legh, G. C.
Lemon, Sir C.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, H. H.
Lowther, J. H.
Lyall, G.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
McGeachy, F. A.
Mahon, Visct.
Manners, Lord C. S.
Manners, Lord J.
Marsham, Visct.
Masterman, J.
Meynell, Capt.
Mildmay, H. St. J.
Miles, P. W. S.
Mordaunt, Sir J.
Morgan, O.
Mundy, E. M.
Murray, C. R. S.
Newport, Visct.
Newry, Visct.
Norreys, Lord
O'Brien, A. S.
Pakington, J. S.
Palmer, R.
Patten, J. W.
Peel, rt. hn. Sir R.
Peel, J.
Plumptre, J. P.
Polhill, F.
Pollington, Visct.
Praed, W. T.
Pringle, A.
Repton, G. W. J.
Round, C. G.
Round, J.
Rushbrooke, Col.
Russell, C.
Sandon, Visct.
Shaw, rt. hon. F.
Sheppard, T.
Sibthorp, Col.
Smith, A.
Smith, rt. hn. T. B. C.
Smyth, Sir H.
Sotheron, T. H. S.
Stanley, Lord
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Tennent, J. E.
Thornhill, G.
Tollemache, J.
Trench, Sir F. W.
Trollope, Sir J.
Trotter, J.
Turner, E.
Turnor, C.
Verner, Col.
Vernon, G. H.
Waddington, H. S.
Welby, G. E.
Whitmore, T. C.
Wilbraham, hon. R. B.
Wood, Col.
Wood, Col. T.
Worsley, Lord
Wortley, hon. J. S.
Wortley, hon. J. S.
Wyndham, Col. C.
Yorke, hon. E. T.
Young, J.

TELLERS.
Fremantle, Sir T.
Baring, H.

List of the NOES.

Aldam, W.
Archbold, R.
Barclay, D.
Baring, rt. hn. F. T.
Barnard, E G.
Berkeley, hon. Capt.
Bernal, Capt.
Blewitt, R. J.
Bowring, Dr.
Brotherton, J.
Busfeild, W.
Byng, G.
Cavendish, hn. G. H.
Chapman, B.
Childers, J. W.
Clements, Visct.
Cobden, R.
Colborne, hn. W. N. R.
Colebrooke, Sir T. E.
Craig, W. G.
Dalrymple, Capt.
Dawson, hon. T. V.
Duncan, G.
Duncombe, T.
Dundas, hn. J. C.
Evans, W.
Ewart, W.
Ferguson, Col.
Fitzroy, Lord C.
Forster, M.
French, F.
Gibson, T. M.
Gisborne, T.
Gore, hon. R.
Greenaway, C.
Grey, rt. hon. Sir G.
Hallyburton, Lord J.
Hatton, Capt. V.
Hawes, B.
Hay, Sir A. L.
Hill, Lord M.
Howard, hn. J. K.
Howard, Lord
Howard, hon. H.
Labouchere, rt. hn. H.
Langston, J. H.
Langton, W. G.
Layard, Capt.
Leader, J. T.
Marshall, W.
Marsland, H.
Martin, J.
Matheson, J.
Maule, rt. hon. F.
Mitcalfe, H.
Mitchell, T. A.
O'Brien, J.
O'Connell, M. J.
Ogle, S. C. H.
Ord, W.
Paget, Col.
Palmerston, Visct.
Pechell, Capt.
Philips, G. R.
Philipps, Sir R. B. P.
Philips, M.
Plumridge, Capt.
Redington, T. N.
Russell, Lord J.
Russell, Lord E.
Scrope, G. P.
Seale, Sir J. H.
Seymour, Lord
Sheil, rt. hn. R. L.
Smith, rt. hn. R. V.
Stanley, hon. W. O.
Stansfield, W. R. C.
Staunton, Sir G. T.
Stewart, P. M.
Strickland, Sir G.
Strutt, E.
Tancred, H. W.
Thornley, T.
Towneley, J.
Villiers, hon. C.
Vivian, J. H.
Wall, C. B.
Ward, H. G.
Wawn, J. T.
Winnington, Sir T. E.
Wood, B.
Wood, C.
Wood, G. W.
Wyse, T.

TELLERS.
Parker, J.
Horsman, E.

On the original question being again put,

Lord *Worsley* rose to propose his amendment. He contended that when the Corn-law Bill of last Session was under consideration, the Government gave no intimation of their intention to propose the present measure. It had completely taken the agriculturists by surprise. Could it be otherwise? Parliament met on the 3rd of February, last year. On the same day, the right hon. Baronet, the First Lord of the Treasury gave notice of his intention, on an early day, to move that the House resolve itself into a committee of the whole House, to take into consideration the laws relating to the importation of corn. On the 9th of February he brought forward his motion, and in detailing his proposed alterations said,

> "It was due also to the importance of the subject, that her Majesty's Government should undertake, on their own responsibility, to propose a measure for the adjustment of this question."

And he also said,

> "There are some who will admit of no modification whatever in those laws as they now exist. My firm belief is, that that party in this country is exceedingly limited in number. I do believe that among the agriculturists themselves, there is a prevailing feeling that the Corn-laws may be altered with advantage."

He was ready to admit that the agriculturists wished for an alteration in the lower part of the scale; they thought that there might be amendment in it, but they did not wish for so extensive an alteration as was made. But could it be said now, that the agriculturists asked for change? Were the Government in ignorance of the county meetings that were held to oppose this very measure? And he contended that no persons in this country would have expected a further change in these laws; for in the same speech to which he had referred the right hon. Baronet, after giving the new scale of duties to be imposed on the foreign corn imported, went on to say,

> "And now I must enter into a short explanation respecting colonial wheat. The law with respect to it was to this effect, that British colonial wheat and flour shall be imported into this country at a duty of 5*s.* whenever the price of British is below 67*s.*, that when the price of British wheat exceeds 67*s.*, it shall then be admissible at a duty of 6*d.* (And then he went on to say) "we propose to make this arrangement respecting colonial wheat."

The right hon. Baronet then mentioned the scale of duties which are now in force; but said not one word of an intention of further alterations. But the noble Lord, the Secretary of the Colonies, said, that on the motion of the hon. Member for Limerick (Mr. O'Brien) on Feb. 28th, he used words which justified him in saying the Members ought not to have been ignorant of their alteration; but he (Lord Worsley) believed that it was that motion which prompted the noble Lord to write the despatch dated March 2nd, which is the first intimation we have of such a measure being proposed by the Government, but which had not come to light till this Session; indeed, on the 18th of April, Lord Ripon, in moving the second reading of the Corn Importation Bill in the House of Lords, announced the scale of duties now in force, but never hinted either at the despatch of the 2nd of March, or of any intention of her Majesty's Government at a future time to alter the scale. The Government represented that they were bound in honour to propose the measure for the advantage of Canada; but he was under no such obligation, and, therefore, exercising his discretion as an independent Member of Parliament, he would offer it all the opposition in his power. The Government ought to be extremely cautious, particularly at a period of depression, how they excited fresh apprehensions among the agriculturists. The alteration of last year was not expected by them. They had, however, submitted to it, and their submission ought to have obtained for them a forbearance from measures calculated still more to militate against their interests. The farmers were naturally alarmed by the measure now proposed. They thought reasonably enough that what was given to Canada could not well be refused to the other colonies, and thus the consequences of what Government now proposed to do might extend further than even the authors of the measure themselves contemplated. In 1833, at a time of great depression—when certainly wheat was lower than now, but other agricultural produce fetched higher prices — a committee was appointed to inquire into the causes of agricultural distress. The report of that committee was generally supposed to have been drawn up by the right hon. Baronet opposite (Sir James Graham), who, in the report, particularly urged forbearance from all unnecessary interference with the agricultural interest, particularly at a time of distress.

> "Your committee assure the House that they are deeply impressed with the caution which appears to them necessary in drawing any general conclusions, or in offering any positive opinions, when national interests of such vital importance are concerned, where doubts so reasonable exist, and where errors so fatal may be committed. They remember

'that the agriculture of the kingdom is the first of all its concerns, the foundation of all its prosperity, in every other matter by which that prosperity is produced;' and they cannot forget what Mr. Burke has so truly stated, 'that it is a perilous thing to try experiments on the farmer—on the farmer whose capital is far more feeble than commonly is imagined—whose trade is a very poor one, for it is subject to great risks and losses; the capital, such as it is, is turned but once in the year; in some branches it requires even three years before the money is repaid;' and although it is in the power of the Legislature to do much evil, yet it can do little positive good by frequent interference with agricultural industry. If these be general principles which are true in ordinary times, the peculiar circumstances of the present moment require also peculiar caution. In conclusion, your committee avow their opinion that hopes of melioration in the condition of the landed interest rest rather on the cautious forbearance than on the active interposition of Parliament."

Why did the right hon. Baronet now act upon principles so opposed to those which he then advocated? He was by no means convinced that a great deal of American wheat would not be smuggled into Canada. American wheat was better in quality than Canadian, and the Canadians would therefore find it much to their advantage to get American wheat to mix with Canadian flour for the English market. He did not recollect any time since the noble Lord (Lord John Russell) proposed his fixed duty of eight shillings, when there was so much agitation among the agriculturists as there was at present. He regretted the necessity under which he had felt himself of intruding on the House the amendment with which he was about to conclude. It was certainly his intention to press it to a division; for if he allowed the resolutions to pass in committee unopposed, he could not feel justified in opposing the second reading of the bill, to be founded on those resolutions. He could not see why, when, in spite of the income tax, there was a deficiency of two millions and a half in the revenue, so much of the duty was to be abandoned here, and be given to the Canadians, who were lightly taxed. They were not, like the agriculturists here, asking for protection. They wished to export all they grew, and to consume wheat from America; such being the case, the interest of the Canadian consumer clearly was to get wheat from America as cheap as possible. The noble Lord the Secretary of the colonies, complained the other night of the misrepresentations which he said had been so sedulously disseminated amongst the farmers in this country. He begged to assure the noble Lord he had never misrepresented the measure; so far from it, he had stated the measure to be what the noble Lord had described it to him in a letter, an exact copy of which, to his surprise, he saw had been read at a meeting in Essex. The noble Lord concluded by moving, as an amendment, to leave out from the word "Canada," at the end of the second paragraph, to the words "That from and after," at the beginning of the fourth paragraph, in order to insert the words,

> "That it is inexpedient to make an alteration in the provisions of the act of last Session, regulating the duties on the importation of corn, by which alteration the protection intended to be given to the British producer of wheat no longer rests on duties which are imposed by the Imperial Legislature, and the produce of which is not available in aid of the burthen of taxation under which this country is now labouring."

Mr. *Lindsay* was understood to say, that if the resolutions proposed by the noble Lord (Lord Stanley) had been brought forward now, for the first time, and unconnected with any other measure, he should have no hesitation in giving to the resolutions his humble but most determined opposition; but viewing the present measure as a part of the great policy of last year, he was disposed to look upon it in a very different light. He repudiated the idea that any deceit had been practised by the noble Lord. The whole tenour of that noble Lord's life was against the supposition that he would be capable of bringing forward any measure in a surreptitious manner. He therefore would cordially support the measure proposed by her Majesty's Government.

Mr. *Henley* said, he had carefully read the speeches delivered last Session by the right hon. Baronet at the head of her Majesty's Government, by the right hon. Gentleman the President of the Board of Trade, and by the noble Lord, the Secretary of State for the Colonies, and he would maintain that no man could, from those speeches, have had any ground for expecting a measure like the present. He could not agree that the measure was a small one. It was a very great colonial measure; and he could not see the least reason why, if this boon was granted to one colony, it should be refused to the other colonies. New Brunswick and

Prince Edward's Island had, by their loyalty, entitled themselves to quite as much consideration as Canada, and if they could not grow any great surplus of corn, they might be anxious at least to participate in the transit trade. Why should they not be treated as an integral part of the empire quite as much as Canada? They were told that the power existed, under the present law, of importing American corn by grinding it in Canada, and that, in this respect, very little change would be made by the bill about to be brought in; but the existence of such a power was not generally known, and he believed there were not even many Members of that House to whom it was known. Another objection he had to the measure was the entire ignorance of the House as to what the effect of the proposed change was likely to be. He was himself a sincere advocate of the sliding-scale, because he thought that when corn was cheap the home grower ought to have the first chance of the market, and when it was dear he did not think that it ought to be made dearer by keeping food out of the country. The proposed measure was in direct opposition to the principle of the sliding-scale. It was equivalent to a fixed duty on all corn that could be imported into this country. On Dantzic corn he thought the fixed duty would be about 15*s.* a quarter, for shipowners could easily be found to carry Dantzic corn to Canada, and bring it back to England as colonial corn. It might be that a fixed duty of 15*s.* would be more than Dantzic corn could bear, and that, therefore, no such operations would be carried on; but the power would be there. They had talked a great deal about panics; but he thought if there was anything that was calculated to make a man button up his breeches pocket and do nothing, it was this constant tampering and tinkering with a great measure.

Colonel *Wood* said, there always was money gained as well as lost by panics. With respect to the importation of Dantzic corn through Canada as Canadian corn, the power already existed. A man could now take Dantzic corn to Canada, and then introduce it into England at a duty never higher than 5*s.*; the effect of the proposed measure would be to enable him to bring it in at a duty of 4*s.*; 3*s.* in Canada and one in England. The only difference, therefore, between the present and the proposed law, in this respect, would be one shilling. If this measure were to be submitted to Parliament as a new measure, he would not be inclined to support it, but he conscientiously believed that this was a part of the measure of last year. The right hon. Member for Portsmouth complained that they ought to have legislated on this subject last year; but it was out of delicacy to the Canadian Parliament that they had not legislated. The origin of the measure was the proposal of the President of the Board of Trade last year, that a duty of 3*s.* per quarter should be levied on all wheat coming into Canada from the United States. He thought the noble Lord the Secretary for the Colonies was perfectly justified in making an engagement with the Canadian legislature, that if they would take proper precautions against the influx of American corn into the colony, the duties on their own produce should be reduced to a nominal amount, and Canada should be treated as an integral part of the united kingdom. That proposition was made to a new Parliament, assembled for the first time, under very peculiar circumstances, and met with glad acceptance. If the House should reject the proposition, he would now leave it to the House to judge whether they would not lower themselves in the eyes of the Canadian legislature and of the whole world. He believed the present measure would be advantageous to this country in the main, and be greatly advantageous to Canada. Instead of infringing the law of last year, it would place that law on a much firmer basis [" *No, no.*"] Gentlemen said no; but what was the principle of the law of last year? It was, that the importation of foreign corn should be regulated by a scale of duties, one end of which should be prohibitory, and the other should admit corn into this country duty free when there was a deficiency of supply. When the price was under 50*s.*, it was to be presumed that the supply was equal to the demand, and therefore, that there was no need of importation from abroad; but when the price rose, the supply fell off, and then the question to be considered was, whence would it be best to look for that supply? Clearly from a colony which was of so much importance, and with which we were so intimately connected as Canada. Bread at Montreal was, by the last advices, at 9*d.* a loaf, while in this country we had bread at 6*d.* a loaf, which showed that the growers of corn need be under no apprehensions of the effects which would result from the importation to this country of corn and flour from Canada. It was for the interest of both parties that the connection between Canada and this country should be placed on the most intimate footing, and that we should cement the bonds of strength and power by which the empire should be knit together. It had been asked why our other colonies in America should not enjoy the same privileges for the admission of their produce to this country. With one or two exceptions, the freight from them was cheaper than from the St. Lawrence, and therefore the price of Canadian corn would be much more nearly assimilated to that of home-grown corn, than that of corn from any other of our colonies would be. For the reasons he had stated, he should give the measure his support.

Mr. *C. Wood* said, the sole advantage he had been able to discover in the measure proposed by Government, was its approximation to the principle of a fixed duty; and his hon. Friend who had just spoken had gone far to shake his opinion of the value of that solitary advantage, for according to him the measure would place the sliding-scale on a firmer foundation than ever. He agreed that the measure was an advance to the principle of a fixed duty, but he must leave it to Government to reconcile their support of that principle with any regard to their own consistency. He would state shortly the grounds on which he supported the amendment proposed by his noble Friend. He was perfectly willing to take the measure of Government on the showing of the noble Lord opposite, who stated that it would do neither one thing nor the other; that it would not admit one grain for the benefit of the consumer, nor the supposed advantage of the grower. He was willing to consider it as a colonial measure, and that, although there had been much exaggeration on the subject, whatever there was in the bill, seemed, with the single exception of a fixed duty, of a very objectionable nature. The measure affected, in the first place, the intercourse between the United States and Canada; and next, the intercourse between Canada and this country. The intention was to interpose an additional obstacle on corn coming from the United States to Canada. He confessed, if he wanted an additional reason for opposing the measure, it would be found in the circumstance mentioned by his hon. Friend the Member for Brecon, that the price of bread at Montreal was half as high again as in this country; yet with this high rate of prices, the House was asked to pass a law to increase the price of bread in the colony. They had heard a great deal of the advantage of protection to agriculture, in raising the price obtained by the grower; but could anything be more monstrous than, with so high a price in the colony, to pass a law to raise the price to the consumer. It appeared that the Canadians themselves had no wish for a plan of this nature, except in so far as they expected to derive greater advantages from an increased importation to this country; and the proposal of Government came to this, that we were to bribe the Canadians to impose a barrier to their own supply, to which, but for that consideration they would not consent. It was stated in the papers on the Table, that but for the proposal made by this country they would not have passed the act, and he contended that the bribe we were about to offer them was one that would cost this country dear; for, as far as the intercourse between Canada and the United States was concerned, we were about to bribe Canada to impose a new protection. With respect to the intercourse between Canada and this country, no doubt if there were a surplus production of corn in Canada which could be exported to this country, it would be a benefit to the consumer that that corn should come in at a low fixed duty rather than under a small sliding-scale. But when it turned out, as was established by the papers on the Table, that there was no Canadian corn at all; that no corn could at present be brought from Canada unless it were replaced by American corn, so far as the boon to Canada, or the advantage to the consumer in this country was concerned, the measure proved to be perfectly ludicrous, and the importation of Canadian corn, like that of foreign cattle, a mere bugbear to the agriculturists. The noble Lord opposite had stated that at this moment American corn paying no duty at all on its importation into Canada, was ground there, and imported to this country at a duty varying from 1*s.* to 5*s.* a quarter, and he proposed to substitute for that small sliding-scale a fixed duty of 4*s.* He would not stop to inquire whether a fixed duty of 4*s.* was a fair equivalent for the average duty of 2*s.* 1*d.*; whether the highest duty which had ever been levied in practice was a fair average to take on which to calculate the amount of the commutation. The proposal came to this, that the farmers of this country were to have the protection of a fixed duty of 4*s.* on American wheat imported in this indirect mode through Canada, and the effect of the proposal, after all, was, as stated in the resolution, that three-fourths of the duty, instead of being paid, as now into the British Exchequer, was to be paid into the Exchequer of Canada. If hon. Gentlemen would refer to a paper on the Table, showing the number of quarters of corn imported from Canada during five years past, which they might assume to be American corn coming in a circuitous way, they would see that the imposition of a fixed duty of 4*s.* during that time would have brought into our Exchequer an additional sum of 24,000*l.* a-year. The proposition of the noble Lord went to put 3*s.* out of the 4*s.* into the Exchequer of Canada, and 1*s.* into our own. That was really the only effect of the noble Lord's measure, if he were correct in stating that it would make no difference whatever in the importation of corn, and that both to the consumer and producer it was perfectly immaterial whether the bill passed or not. He would take the bill on the noble Lord's own showing, and he said the only effect of it would be to give 18,000*l.* a-year to the Canadians, to induce them to impose a duty on corn coming from America, which they did not wish to impose because it would be injurious to them. An hon. Gentleman had observed the other night that the Canadian Exchequer was very much in want of money; but he should like to know whether the hon. Member would consent to vote 18,000*l.* a-year for the benefit of the Canadians. He thought the proposal exceedingly objectionable, not so much for the amount involved in it, which was not very great, but because it was part and parcel of the fiscal arrangements of the right hon. Gentleman to which in principle he was entirely opposed. The principle of that arrangement was to impose very low duties on colonial produce, and of course to obtain a minimum of revenue, and to impose very high differential duties on foreign produce, and thus also to obtain a minimum of revenue from that source. Then came the absolute necesssity of imposing a heavy amount of direct taxation on this country. Every proposition of this kind, great or small, so far created the necessity for imposing that most odious of taxes under the burthen of which the country was now labouring. Then as to the fine sounding words that we were to treat Canada as an integral part of the empire —if it were to be treated like an English county, ought it not to have its due share of taxation as well as of favours? He was of opinion that while we paid the military and naval expenses of the colony, and gave some preference to its productions, we went as far as we were bound to go, and that we were acting a most unwise part for our own purposes in throwing away our money in this manner for a futile object. When this principle came to be tested, and the way in which it was proposed to be carried out by Government examined, it appeared to be absolutely useless. The noble Lord had been asked whether if our other neighbouring colonies were prepared to establish a similar duty on foreign corn, that step would be met by a similar reduction of duties on their produce imported to this country? The noble Lord had not given a very definite answer, but had said, "We must do this as to Canada, because we proposed it last year." That might be a reason for his making the proposion, but he only removed the difficulty one step further back, for the question remained. Why did not the noble Lord make the promise to the other colonies last year? Anything more invidious, anything more contrary to the spirit which ought to mark our legislation, could not be conceived, than to tell the Canadas that they were to be treated as an integral part of the empire, and New Brunswick and Nova Scotia that they were not to be so treated. He thought this more impolitic and unjust towards those colonies than any declaration he had ever heard in that House. What he wished to affirm by the amendment was, that whatever the amount of protection might be, it ought to depend on the British Legislature, and not on that of Canada; and whatever duty there might be on the importation of corn into this country, the produce of that duty ought to be paid into the British Exchequer, and not into that of Canada. He was entirely opposed to the measure, as being, first, a mere bribe to the Canadians to pass a protection which they did not want; and secondly, as a part of a fiscal policy rendering necessary, on the part of this country, the maintenance of a tax to which he thought the people would not be much longer willing to submit.

Mr. *G. W. Hope* said, that considerable misapprehension seemed to exist as to the facts upon which the consideration of this question depended. The right hon. Member for Halifax had commented upon the large amount of revenue which this measure would take out of the Treasury of this country, and had stated that the average duty on Canadian wheat for the last five years had been 4*s.*, producing a revenue of 24,000*l.*, whereas, in point of fact, the average duty had not been more than 2*s.* 1*d.*, or at the outside 2*s.* 2*d.*, which would give a revenue of only 10,000*l.*; so that, in truth, the loss to the British revenue was compariatvely trifling. The right hon. Member had also asked why Canada should be selected for this boon, and why the other British colonies should not be allowed to share in the supposed advantages of this measure. The reason was this, that with regard to the other British colonies, their capabilities of producing corn was not sufficient to make the free introduction of it into this country an object, for the sake of which, it was worth while to disturb the present settlement of the corn question. What were the facts? The total importation of corn from all the British colonies between 1814 and 1842 was, 1,697,000 quarters; from Canada alone 1,560,000 quarters; showing an importation from all the other colonies of only 137,000, and of that 137,000 they must deduct 99,000 which came from the East Indies, and consisted of damaged corn which could not be taken into the calculation; leaving, therefore, the importation from all the other British colonies during that period at 38,000 quarters only. A good deal had been said about the injustice of this measure towards Prince Edward's Island, as being a corn growing colony; but again he must appeal to the fact that Prince Edward's Island during five years, had exported only 1,616 bushels. New Brunswick and Nova Scotia confessedly were not corn growing countries; whatever corn had come from them came in the shape of flour, having been first imported into them from other countries. The answer, therefore, which he would give to the hon. Gentleman who complained of injustice towards the colonies was, that this measure, which would be a great boon to corn-growing Canada, would be no boon to the other colonies of this country. The utmost export from the Cape of Good Hope in any one year had been, 3,000 quarters. Some hon. Gentlemen on the other side apprehended, that an extensive system of smuggling would result from this measure; but he apprehended no such danger, because it had been made out to his satisfaction, that the expense of conveyance across the lakes of Canada was quite as great as that along the shores. He had felt it his duty to correct the erroneous impression which seemed to exist as to the corn-growing capabilities of all the other British colonies except Canada; but he would not further detain the House upon a subject which had been so fully discussed.

Mr. *Hutt* could not conceive any measure more calculated to exasperate the Canadians, or to excite a renewal of those angry feelings by which the colony had had been recently disturbed, than to give it a united legislature, and then deprive it of those powers which must necessarily belong to a legislature. He did not think it a sufficent reason for limiting the authority of the Canadian legislature that a portion of those goods which had passed over the frontier might be hereafter imported into this country; but, in addition to this, he was prepared to contend, that the duties imposed by the Government plan would not be paid by the people of this country. The right hon. Gentleman the Member for Halifax, thought that the proposal of transferring 18,000*l.* a-year into the exchequer of Canada, was equivalent to levying 18,000*l.* a-year in the form of taxes on the people of this country. He entirely differed from the right hon. Gentleman. It had always appeared to him to be one of the great merits of a fixed duty on corn, that the duty would be paid by the producer and not the consumer. He approved of this measure because he thought it an approach to the system of a fixed duty, at least in regard to the intercourse between this country and Canada, and he should support it not merely for itself, but for the good effects which were likely to flow from it. He was convinced that the day was not far distant when they must apply that system to the general corn-trade with the world. The sliding-scale had lasted long enough, and done its work well enough—it had produced enough of delusion and mischief, The noble Lord the Secretary for the colonies had said, that this was not a measure of free-trade; but it appeared to him to have the strongest claims to his support, on the very ground of its being framed on these principles of free-trade and common sense, which Ministers were in general far more inclined to praise than to practice. Doubts had been thrown on the capacity of the Canadas to produce corn for exportation; but he would beg to refer hon. Gentlemen to Lord Durham's report, in which it was stated, that the soil of the country north of the lakes, was equal, if not superior, to that of the opposite territory of the United States. He hoped, that if the bill passed, it would be a death-blow to the Corn-laws.

Colonel *Rushbrooke* said, he must crave the indulgence of the House for a few moments while he made some observations on the question. He voted against the amendments which had been proposed because he considered them to be an improper interference with the act of an independent legislature, and also with the prerogative, which should never be so addressed but in cases of the highest and most vital importance; but he had the greatest possible objections to the proposed resolutions. In the first place, the manufacture of the flour would be placed in the hands of the Canadians, whereas, one of the principal reasons given for the introduction of the Grinding Bill of last year was, that it would be a bonus to the millers of the United Kingdom, who by this measure would be entirely deprived of that advantage. Then the statements as to the price of flour, and the cost of its transport to this country, were so at variance that it was quite impossible to arrive at the truth without further information. Equally at variance with each other were the opinions relative to the facility of smuggling; but, even passing them by, it was impossible to say what might be the inundation of Canadian flour in the course of a few years. In the paper No. 218, laid on the Table of the House, there was a paragraph which stated that Canada now was an exporting country, and that in a short time she would be able to supply the mother country with any quantity required, provided ths ports of England be open to her produce. This confirmed Lord Durham's observation, that Canada, would, in a few years, supply England with all the corn she wanted. Again, he had a decided objection to a fixed duty; a fixed duty was like a fixed bayonet—give but the word of command, and it was off in a moment. Such had been the fact more than once in the course of his experience. Whether such would be the case, in the present instance, remained, certainly, to be proved; but, at all events, this measure was one which contemplated a reduction of protection. By it a 3*s.* duty was proposed, which was to flow into the coffers of Canada, together with a nominal one of 1*s.* flowing into our own; altogether a protection of 4*s.* By the present law, we had a sliding-scale of from 1*s.* to 5*s.* A paper had been printed, showing the average duty of the last five years to have been 2*s.* 1*d.* but this was at the time of high prices, and not when our best wheat was selling at 45*s.* He for one, and he believed the agricultural body in general, never expected to see prices range beyond 55*s.* At that point, they had a permanent protection of 5*s.*, and why should they be called upon to relinquish it? He was among the first to admit that the colonies, after ourselves, were the object of consideration, but charity must begin at home. In acquiescing in the enactments of the new Corn-law, the farmers went to the extremest verge of reduction and concession. They could not, therefore, do otherwise than deprecate and oppose a measure which was the cause of repeated agitation, and which, in its effect, did paralyze and destroy the markets of the home producer. He assured the House that so desperate was the view which some of our farmers took of the measure, that should these resolutions pass into a law, they would wish the Corn-laws repealed altogether, rather than be exposed to the painful suspense which they seemed doomed interminably to suffer. With these views, and with this statement but with the greatest regret and reluctance, he could not do otherwise than oppose the proposed resolutions.

Mr. *Phillip Howard* considered it of the greatest importance that they should legislate in a confiding spirit for our Colonies, and especially for Canada, which during the American war, and in 1813-14—at a time we were engaged in a struggle with the neighbouring—the United States—had shown such heroic constancy and true devotion to our cause. It also seemed to him to be an object of paramount importance to divert the tide of emigration which now set towards the United States from that country to Canada. The Legislature of Canada had now thrown itself on the generosity of the British Parliament, and it would be most impolitic and unjust to scorn a proposal so frankly made. Moreover, by this measure we should enable the Canadians to take a greater quantity of our manufactures, and thus to advance the prosperity of this country. As an advocate of a fixed duty on grain imported, he rejoiced that the Government had at least partially adopted that principle. Having been compelled, as in the case of the Constitution of Newfoundland last year, to differ from the noble Lord opposite on questions of colonial policy, it was exceedingly satisfactory to him to find the high and undoubted talents of the noble Lord now devoted to an object calculated to prove of essential benefit both to that important colony and to the mother country. He should certainly support the measure, and as to any defence of it, he only took the speeches of the noble Lord (Lord Stanley) and of his hon. Friend the Member for Liskeard, and they supplied the wall and the cement which would withstand the assault of all its opponents.

Mr. *Bankes* thought, however opportune this measure might be considered with respect to Canada or to America, that, viewed in regard to the present condition of this country, it was introduced at a most unfortunate period. The right hon. President of the Board of Trade had said that no promises had been made; but who would say that no expectations had been held out? Had nothing been heard as to prices, had no averages been calculated almost with certainty, but which were essentially different to those which now actually prevailed? The hon. and gallant Member for Brecon had said, that if this were a new measure he should oppose it; but it was a new measure to him (Mr. Bankes), it was a new measure to his constituents, and it was a new measure to a great part of the people of this country. He was, therefore, in that condition which his hon. and gallant Friend had said if he were in he should oppose the bill, and consequently he felt bound to oppose the measure as a new one. The measure had been inopportunely introduced, and without previous inquiry, and without that information which it was their duty to acquire before they ventured to sanction a change of this description. Whatever might be his respect for the talents of the Member of the present Government, under the present circumstances and at the present time he did not feel justified in giving his assent to the further progress of this measure. With regard to the first stage of the measure, namely, its introduction, he should have greatly regretted if any other decision had been arrived at than that which the House had come to by a large majority; and if the House had not received with attention and respect a measure which had obtained the sanction of an independent Legislature. He should have greatly regretted if the House of Commons had interposed in the manner proposed by the right hon. Gentleman opposite, and had addressed the Crown to refuse its assent to the measure of the Colonial Legislature. He should have deemed it unreasonable to go out of their way, to pass an affront upon the Colonial Legislature, when a strictly constitutional mode was left to them of indicating their sentiments, if they wished it, with respect to the proposition now offered for their consideration. As he felt constrained to negative these resolutions, he was ready to accede to the amendment of the noble Lord, which negatived two of the propositions contained in the resolutions. The noble Lord submitted that it was inexpedient that the protection desired for the agriculturists should be allowed to rest upon the will of a Colonial Legislature wholly independent of us. That proposition was well deserving of consideration. The second proposition of the noble Lord's amendment was also of importance—namely, that it was inexpedient that a revenue, to be derived from such protection, should, at the present period, be applied not to the relief of the burthens of the parent country, but to the relief of the burthens of the colony. He could not give his assent to the measure, and he thought if the effect of the Grinding Act had been seen as it might possibly be found to operate under the influence of the present measure (although there was no flaw in that measure, as had been erroneously supposed), it was highly probable that the assent of many gentlemen who had voted for it would not have been awarded. Flour ground in Canada might be taken to the bonding warehouse, and the same quantity of American or other foreign wheat might be taken out of bond, consequently American wheat, which ought to pay 20*s.* duty, would be taken out from bond for the same quantity of American wheat ground into flour, which had only paid 4*s*. That was as it appeared to him a possible effect of the proposed law. It was, however, his complaint that the House was called upon to pass this measure without the means of information they ought to possess, and without that time for deliberation and discussion which was requisite for such a measure. If the measure had been brought forward last year, there would have been a larger field for the attention of members, and a large scope for their inquiry. If they had been informed that this was a part of the general scheme, it would then have been their duty to make themselves acquainted with the probable amount of produce that would be supplied by Canada, and taking that additional amount of produce into their calculation, the decision of some hon. Members last year might have been different. With respect to that general measure itself, he confessed he had at the time doubts and difficulties upon his mind. It appeared, too, that prices in Canada were such as to render it impossible that that colony could derive benefit from the measure now. There was, therefore, no reason why the measure should be hurried through the House, and he humbly ventured to submit to the Government—as then the decision of an overwhelming majority had shown that there could be no appearance of insult to the colonial Legislature—whether it would not be possible to postpone the further progress of this measure. If it had all the advantages described by the noble Lord, and if his statement could be borne out, hon. Members would be very happy to have their minds satisfied, and adopt his views if they thought that by the facts and information supplied to them they were justified in so doing. He must therefore urge the Government to delay a measure which had excited, whether justified or not, much alarm and anxiety.

Mr. *Ward* said, he supported the resolutions of the noble Lord the Secretary for the Colonies, but upon grounds diametrically the opposite of those which the noble Lord had advanced. He supported the noble Lord's resolutions in the full conviction that they would give a very dangerous shock to a very bad system which he wanted to get rid of. That did away at once with a great deal of the nonsense which had been talked in that House about the sliding-scale. The noble Lord had openly avowed his preference of a fixed duty to the clumsy machinery of a sliding-scale. [Lord *Stanley*: Provided the scale only varies 3*s*. or 4*s*.] But surely it was quite as easy to take the medium point between 20*s*. and 1*s*., as between 12*s*. and 8*s*. He supported the resolutions of the noble Lord, because, in the next place, they established a precedent which must be followed with reference to all the British colonies. If the noble Lord refused the boon upon any other terms, it would be worth their while to get up a little insurrection, a little rebellion, in order to force a measure of concession from the Government. They would be very foolish not to do so. He had another reason for supporting these resolutions—they afforded such a beautiful exemplification of the practical absurdity of our present system. They had heard a good deal from the hon. Member for Oxfordshire about sending Dantzic wheat to be ground in Canada and then brought to this country at the colonial duty. Such was the absurd system which now prevailed with regard to coffee. The produce of Brazil had to go round by the Cape of Good Hope in order to take the benefit of a colonial duty. How long would they support such a practical absurdity? He believed that a great deal of good would come of these resolutions; he would take his chance of all that might arise—of the great extension of cultivation which could undoubtedly take place in Canada—of the smuggling which he believed would also take place; and if he could get rid of the 3*s*. fixed duty in Canada altogether and be able to extend the measure to all our other colonies, he should still more cordially support the resolutions of the noble Lord.

Mr. *Borthwick* thought that it was the duty of the Legislature to afford a fair and judicious protection to British agriculture. He supported the measure proposed by the noble Lord, because he believed that its effects would be to encourage agriculture in the Canadian colonies; and the colonists, when they were enabled to supply this country with grain, would take in exchange—not gold, which was required by America—but our manufactures. Frequent allusion had been made during the debates to certain implied pledges which had been given by the Government to the Canadians; but to such pledges he had been no party. He considered the subject as an independent

Member; and when he looked at the effect which he believed the measure of the noble Lord would produce on Canada, and upon our own market, he could not hesitate to give it his support. Some hon. Members of that House had pledged themselves to their constituents against countenancing any alteration in the former Corn-law; but last Session a change in that law was proposed, and by the assistance of those hon. Gentlemen it was carried. The farmers, finding that they did not now obtain that return for their industry upon which they had calculated, complained of the conduct of these hon. Members who had, in some cases, lost much of that popularity which they had formerly enjoyed; but now those hon. Gentlemen, with a view to recover their popularity, and to retain their interest with the farmers, opposed the present measure, the effect of which would, he believed, be to increase the protection of English agriculture. It had been said by hon. Gentlemen opposite, that if this measure were adopted, New Brunswick and other colonies might claim the same privilege which it would extend to Canada. He did not, however, see any probability of such a result; but if it was shown that any other British colony was placed in similar circumstances to Canada, he would vote for the extension to it of those privileges. The noble Lord opposite (Lord John Russell) had charged the present Government with proposing constant changes in the Corn-laws; but he thought that such an accusation came with a very bad grace from the noble Lord; for if any "state doctor"—to use a term which had been applied to the right hon. Baronet on that side of the House—had evinced a disposition to tamper with the Corn-laws, it was the state doctor on the opposite benches, the noble Lord the Member for the City of London. His conviction was, that if the measure proposed by the noble Secretary for the Colonies were adopted, it would afford an additional protection of 2*s.* per quarter on wheat in favour of the English farmer as against American produce. He believed that it would tend to impede the too rapid march of free-trade principles; and it would have the effect of preventing the progress of that system of agitation which had been pursued with such unfortunate and injurious effects by some hon. Gentlemen opposite. On these grounds, and because he was anxious to protect the English farmers against those false friends who would over-burthen him with protection, he would give a vote in favour of the resolution of the noble Lord.

Mr. *E. Buller* would support the motion of the noble Lord (Lord Stanley), because he believed it was a step towards the adoption of free-trade principles, and that it would have the effect of increasing the supply of food, and of placing the necessaries of life within the reach of the people of this country. Like his hon. Friend the Member for Sheffield (Mr. Ward), he believed that its effect would be to shake the foundations of the existing Corn-laws. This measure would extend the area from which untaxed produce might be brought; it would afford facilities for the introduction into this country of American corn; and he would therefore give his vote in its favour. He confessed that he objected to the mode in which, under this bill, it was proposed to allow the introduction of American corn. He should prefer the direct introduction of American produce from the ports of the United States, a fixed duty being imposed in this country. It was said by hon. Gentlemen on the opposite (the Ministerial) side, that this was not a free-trade measure, but one rather protective than otherwise. It had been stated, on the part of the Government, that this was one of the measures which they intended to introduce last year; but he would like to ask the noble Lord opposite—if he had any chance of obtaining a candid and straightforward answer—whether, if this measure had been introduced last year, they would have introduced it on the same grounds on which they had now brought it forward? The measures proposed by the Government last year were free-trade measures; but they contended that this measure was one of a protective character. He accused the Government of saying to the consumer,—"The measure we propose will have the effect of lowering the price of food," while turning to the producer—the agriculturist—they said, "This measure cannot have any prejudicial effect on your interests." This conduct reminded him of a treatise he had read on the origin of love, in which it was contended that males and females were first created in one body, but that they were afterwards split in halves; and that man, a lonely biped, was constantly seeking for his other and his "better half." He thought that the speeches of the Members of the Government had been split in halves, one half being in favour of protection, and the other advocating free-trade principles. He believed that the effect of the proposed measure would be to introduce a large—though not an overwhelming—quantity of wheat from Canada into this country, and therefore he supported it.

Mr. *O. Gore* said, that it was with deep regret he felt himself called upon to give any vote adverse to that uniform support he had always hitherto given to her Majesty's present Government, composed as that Government was, he felt convinced, of men whose services were essential to the welfare and best interests of this country. But, strongly as he felt the disposition to support the Government, he had a paramount duty to perform—a duty which he owed it to his country to discharge conscientiously and faithfully. Last year he supported every proposition in the tariff but one, and he did not now regret having done so, because he was sure, that although he voted for a reduced protection, yet that there was still a sufficient protection for the agricultural interests of this country. He supported last year the principle of a sliding-scale, and he was not disposed to change his opinion by now supporting a fixed duty. At the same time, he did not consider that in this measure there was involved the principle of a fixed duty as connected with a fixed duty in this country. In Canada there could be nothing but a fixed duty, because they could have there no regular return of average prices. He was, at the same time that he admitted this, prepared to vote against the present measure, as he considered it to be impolitic, unwise, and, above all, ill-timed. The country had not as yet recovered from the panic caused by the tariff of last year. The farmers were barely beginning to recover. It was notorious that the shock which the farmers had received had greatly diminished their confidence in the Government, and from his own knowledge of them he was sure it would be a long time before their confidence could be restored; they were recovering by degrees, but they were not prepared for another shock such as was now about to be given to them. The agriculturists were a sensitive body, as was justly remarked the other night by the noble Lord the Secretary for the Colonies, and it would require a succession of prosperous seasons to prove to them what he himself really believed, that the late measures of the Government were wise and good measures relieving protection from the odium of useless and oppressive excess. What he desired on the part of the agriculturists was, that their interests should not be tampered with year after year. He was free to admit, that he looked upon the Canada measure as a trifle in itself, but then it was calculated to inflame the minds of the farmers against the rulers of the country, and he did not think it wise to rouse up such feelings for such a paltry benefit. He did look upon it at present as a paltry measure, both as regarded this country and Canada; but hereafter, he did not doubt, Canada would find it to be of great importance when the fine soil of that country should be brought into cultivation, and a finer soil for wheat could not exist than the extreme west of Upper Canada. The noble Lord, the Secretary for the Colonies, had stated that the idea of smuggling was ridiculous. He thought otherwise; and any person who knew the country must know the great facilities for smuggling along the whole frontier. It had been stated by the noble Lord that the wheat growing states were so remote, that the expense of transport would be a strong prevention to smuggling, and his Lordship enumerated the states of Ohio, Indiana, and Illinois as the corn-producing states. True, these were remote but he would read the returns from the marshall's report. Ohio produced 16,000,000 bushels of corn in one year, Indiana 4,000,000, Illinois 2,700,000; whilst the state of New York, which was close bordering on Canada, produced 11,800,000 bushels. The larger portion of this produce close adjoining Lake Ontario, in the beautifully fertile valley of Seneca, and the whole of the Gennesee country, as yet but half cultivated. The most fruitful part of America was that adjoining Canada; and when it was stated that smuggling would not take place, as it was the Canadian's interest to resist it, Gentlemen should recollect the number of Indian villages along the banks of the rivers, the population of which were ever ready to assist the smuggling trade. Besides, immense facilities were afforded for smuggling along the whole frontier, by the lakes and by sledges, by means of which more corn could be conveyed in a single night than by any waggon. The capitalists in the United States would erect mills on our side of the frontier, and there grind the corn which they would smuggle across, paying the duty perhaps on a small quantity —thence exporting to this country with the mill-brand upon the entire. He therefore objected to the measure, because of the enormous quantity of smuggled American corn which might be introduced into this country duty free. He had been delighted to hear the right hon. Baronet at the head of the Government the other night state, that "frequent alterations of an important kind were to be deprecated." He would also add, that sudden alterations were likewise to be deprecated. Now, although it was true that this subject had been cursorily mentioned in the House last Session, he would ask every Member of her Majesty's Government, or any Member of the House, whether they thought that the farming interest of the country ever knew a word of it, or even dreamt of it? It came upon them like a thunder-stroke. No farmer living fifty miles from London had ever heard of any alteration being about to be made in the present system of corn-law as regarded Canada. He had supported the Ministry in carrying the measure for the reduction of protection, but he had gone to the limit that that protection would bear, and would resist any further innovation, at least for some time to come, until the measures of last year were fairly, amply, and honestly tried. He would not pledge himhimself to any course, because circumstances might alter, but reserve to himself the exercise of free discretion in every opinion he formed and every vote he gave. Acting on these principles, and being guided by what he thought due to the farmers, he should vote for the amendment.

Sir *J. Hanmer* was glad to find the country gentlemen of England resume their natural courage and generosity, and dare to look these questions in the face, and not be frightened by every shadow of free trade. There was not a single argument to be adduced against the introduction of corn from Canada into this country which might not have been adduced against the introduction of corn from Ireland into this country which might not have been adduced against the introduction of corn from Ireland in 1806. In 1806 this country had imported 300,000 quarters of wheat from Ireland. The last return made of our imports of wheat from Ireland was in 1837, and this country had then imported thence in round numbers somewhere about 3,000,000 of quarters, very greatly to the advantage of this country and to the detriment of no one. If, therefore, they were to look at this measure as one solely connected with Canada, he confessed he could not understand why the same beneficial results which had been derived from our intercourse with Ireland should not be derived from our extended intercourse with Canada. He had no reason to suppose that the other North American colonies would not shortly seek to place themselves in the same position; and in a short time he thought it would be absolutely necessary that they should be placed in that position. When this should be accomplished, looking at the contiguity of the United States, and the facilities of introducing United States' corn, let them ask themselves how long they should be able to deny a free trade in corn, regulated by a fixed duty? He should support this measure chiefly because he looked on it as the foundation of the only just and wise corn-law—that was, free trade with all the world, regulated by moderate fixed duties. That was a doctrine which was dreaded in some quarters, but he knew that it was a doctrine which was founded on a wise and just policy, and he knew it was a doctrine which states had adopted in former times; and he knew it was a doctrine which they must boldly and courageously determine to act on, if they wished to avert danger from this country.

Mr. *Lefroy* as one of those Members for Ireland who had hitherto felt much satisfaction in supporting her Majesty's present Government, stated with great regret, that he felt it, in this instance, to be his conscientious and honest duty to vote against them. He thought it would be unreasonable that the division to which the House had come the other night, should be looked upon as the final decision and settlement of this question, particularly as the right hon. Baronet at the head of the Government had himself said that other opportunities of opposing the measure would be offered. He should give his vote against the Government on this subject, not for the same reasons as those of many hon. Members opposite, but principally because he objected to the new principle introduced into this measure viz.—the principle of a fixed duty for Canada, instead of a sliding-scale which prevailed in this country, and which he considered it would be more for the interest of this country that it should not be departed from in the present instance. He also called on the Members for Ireland to reflect on what would be the result to that part of the kingdom of a measure like this, when Canada should have advanced, as no doubt she would very considerably hereafter, in the production of wheat. He felt himself compelled to vote against it, however much he might regret the necessity of doing so.

Mr. *Blackstone* would not have spoken had he not been pointedly alluded to by several hon. Members in the course of the debate. The speech of the hon. Member for Shropshire quite delighted him. He had several petitions in his hand, which he should on some future occasion take the liberty of presenting to the House. They were Irish petitions. In one of those petitions it was stated that the poverty and distress existing in the country had arisen from the alterations made in the Corn-laws and tariff. The hon. Member for Oxfordshire, whose speech he had listened to with much pleasure, asked why were not the provinces of New Brunswick to have the benefit of a measure like that which was to be extended to Canada? The inhabitants of New Brunswick were loyal subjects, and had a right to complain of any exclusive boon being conferred upon the Canadian colony. What was the secret of the Canadian Corn Bill? By the alterations in the timber duty 700,000*l.* had been lost to the revenue, so greatly had the timber trade been affected; and as a compensation for that loss the reduction in the duty on the importation of Canadian wheat into this country was to take place. But the English agriculturists had a right to complain of this. They ought not to be compelled to pay for an injury which had been inflicted upon the timber trade of Canada. He was glad to find that the county Members had assumed their proper position in that House.

Mr. *R. Yorke* said, I will not detain the House for a moment. I wish to make one observation. It shall only be a sentence. We have all heard of old *Blackstone's Commentaries*, but I am glad to hear in this House young *Blackstone's Commentaries.*

The Committee divided on the question that the words proposed to be left out, stand part of the question. Ayes 203; Noes 102:—Majority 101.

List of the Ayes.

A'Court, Capt.
Adderly, C. B.
Aldam, W.
Antrobus, E.
Arkwright, G.
Ashley, Lord
Bailey, J.
Baillie, Col.
Baillie, H. J.
Baring, hon. W. B.
Barneby, J.
Bateson, R.
Bell, M.
Bentinck, Lord G.
Bernard, Visct.
Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bowring, Dr.
Boyd, J.
Bramston, T. W.
Broadwood, H.
Brotherton, J.
Bruce, Lord E.
Buckley, E.
Buller, E.
Buller, Sir J. Y.
Burroughes, H. N.
Campbell, Sir H.
Cardwell, E.
Charteris, hon. F.
Chelsea, Visct.
Clayton, R. R.
Clerk, Sir G.
Clive, hon. R. H.
Collett, W. R.
Collett, J.
Colquhoun, J. C.
Compton, H. C.
Coote, Sir C. H.
Copeland, Ald.
Corry, rt. hon. H.
Courtenay, Lord
Crawford, W. S.
Cresswell, B.
Cripps, W.
Damer, hon. Col.
Darby, G.
Davies, D. A. S.
Dawnay, hon. W. H.
Denison, E. B.
Dickinson, F. H.
Divett, E.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Douro, Marq. of
Dowdeswell, W.
Drummond, H. H.
Duncombe, hon. A.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Esmonde, Sir T.
Fellowes, E.
Fitzroy, hon. H.
Flower, Sir J.
Follett, Sir W. W.
Fuller, A. E.
Gibson, T. M.
Gladstone, rt. hn. W. E.
Gordon, hon. Capt.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Granger, T. C.
Greenall, P.
Grimsditch, T.
Grimston, Visct.
Hale, R. B.
Halford, H.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hardy, J.
Hatton, Capt. V.
Heneage, G. H. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hillsborough, Earl of
Holmes, hn. W. A'C.
Hope, hon. C.
Hope, G. W.
Hornby, J.
Howard, P. H.
Hughes, W. B.
Hussey, A.
Hutt, W.
Ingestre, Visct.
Inglis, Sir R. H.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Jones, Capt.
Kemble, H.
Ker, D. S.
Kirk, P.
Knatchbull, rt. hn. Sir E.
Lambton, H.
Lascelles, hon. W. S.
Law, hon. C. E.
Legh, G. C.
Lennox, Lord A.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, H. H.
Lowther, J. H.
Lowther, hon. Col.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Maclean, D.

McGeachy, F. A.
Mahon, Visct.
Mainwaring, T.
Marsham, Visct.
Martin, C. W.
Masterman, J.
Maunsell, T. P.
Maxwell, hon. J. P.
Mitcalfe, H.
Morgan, O.
Morgan, C.
Mundy, E. M.
Newport, Visct.
Newry, Visct.
Norreys, Lord
Northland, Visct.
Packe, C. W.
Paget, Lord W.
Patten, J. W.
Peel, rt. hn. Sir R.
Peel, J.
Plumptre, J. P.
Pollington, Visct.
Praed, W. T.
Pringle, A.
Reid, Sir J. R.
Rice, E. R.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, C. G.
Round, J.
Rous, hon. Capt.
Russell, C.
Russell, J. D. W.
Sandon, Visct.
Seymour, Sir H. B.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Smith, A.
Smith, rt. hn. T. B. C.
Sotheron, T. H. S.
Stanley, Lord
Stanton, W. H.
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Thesiger, F.
Thornhill, G.
Trench, Sir F. W.
Trevor, hon. G. R.
Trotter, J.
Turner, E.
Vesey, hon. T.
Vivian, J. E.
Wakley, T.
Wall, C. B.
Walsh, Sir J. B.
Wawn, J. T.
Welby, G. E.
Wellesley, Lord C.
Whitmore, T. C.
Wilbraham, hn. R. B.
Williams, W.
Wood, B.
Wood, Col.
Wood, Col. T.
Wortley, hon. J. S.
Wortley, hon. J. S.
Wynn, Sir W. W.
Yorke, hon. E. T.
Young, J.

TELLERS.
Fremantle, Sir T.
Gaskell, J. Milnes

List of the NOES.

Allix, J. P.
Archbold, R.
Bailey, J. Jun.
Bankes, G.
Bannerman, A.
Baring, rt. hn. F. T.
Barnard, E. G.
Barrington, Visct.
Baskerville, T. B. M.
Benett, J.
Blackstone, W. S.
Blewitt, R. J.
Broadley, H.
Buck, L. W.
Busfeild, W.
Byng, G.
Byng, rt. hon. G. S.
Cave, hon. R. O.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Chetwode, Sir J.
Childers, J. W.
Christopher, R. A.
Colvile, C. R.
Craig, W. G.
Curteis, H. B.
Dashwood, G. H.
Disraeli, B.
Drax, J. S. W. S. E.
Duncombe, hon. O.
Dundas, D.
Du Pre, C. G.
Eaton, R. J.
Ebrington, Visct.
Evans, W.
Farnham, E. B.
Fitzmaurice, hon. W.
French, F.
Gisborne, T.
Gore, W. O.
Greenaway, C.
Grey, rt. hon. Sir G.
Hall, Sir B.
Hallyburton, Lord G.
Hay, Sir A. L.
Heathcote, G. J.
Heneage, E.
Henniker, Lord
Hoskins, K.
Howard, Lord
Jolliffe, Sir W. G. H.
Knightley, Sir C.
Labouchere, rt. hn. H.
Lefroy, A.
Leveson, Lord
Listowell, Earl of
M'Taggart, Sir J.
Maher, V.
Manners, Lord C. S.
Manners, Lord J.
March, Earl of
Marjoribanks, S.
Marshall, W.
Miles, W.
Mitchell, T. A.
Morris, D.
Murray, C. R. S.
Neeld, J.
Neeld, J.
Norreys, Sir D. J.
O'Brien, A. S.
Ogle, S. C. H.
Ossulston, Lord
Paget, Lord A.
Palmer, R.
Palmerston, Visct.
Parker, J.
Philips, G. R.
Plumridge, Capt.
Pusey, P.
Rendlesham, Lord
Rushbrooke, Col.
Russell, Lord J.
Seymour, Lord
Sheil, rt. hn. R. L.
Sibthorp, Col.
Smith, rt. hn. R. V.
Smyth, Sir H.
Spry, Sir S. T.
Stansfield, W. R. C.
Stewart, P. M.
Strickland, Sir G.
Strutt, E.
Tollemache, J.
Trollope, Sir J.
Tufnell, H.
Turnor, C.
Waddington, H. S.
Watson, W. H.
Wodehouse, E.
Wood, C.
Wyndham, Col. C.

TELLERS.
Worsley, Lord
Henley, J. W.

The Committee again divided on the main question. Ayes 218; Noes 137:—Majority 81.

List of the AYES.

Acland, T. D.
A'Court, Capt.
Adderley, C. B.
Aldam, W.
Alford, Visct.
Antrobus, E.
Arkwright, G.
Ashley, Lord
Bailey, J.
Baillie, Col.
Baillie, H. J.
Baring, hon. W. B.
Bell, M.
Bentinck, Lord G.
Bernard, Visct.
Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bowring, Dr.
Boyd, J.
Bradshaw, J.
Bramston, T. W.
Broadwood, H.
Brocklehurst, J.
Brooke, Sir A. B.
Brotherton, J.
Brownrigg, J. S.
Bruce, Lord E.
Bruce, C. L. C.
Buckley, E.
Buller, E.
Buller, Sir J. Y.
Burrell, Sir C. M.
Burroughes, H. N.
Campbell, Sir H.
Cardwell, E.
Charteris, hon. F.
Chelsea, Visct.
Clayton, R. R.
Clerk, Sir G.
Clive, hon. R. H.
Collett, W. R.
Colquhoun, J. C.
Compton, H. C.
Coote, Sir C. H.
Copeland, Mr. Ald.
Corry, right hon. H.
Courtenay, Lord
Crawford, W. S.
Cresswell, B.
Cripps, W.
Damer, hon. Col.
Darby, G.
Davies, D. A. S.
Dawnay, hon. W. H.
Denison, E. B.
Dickinson, F. H.
Divett, E.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Douro, Marquess of
Dowdeswell, W.
Drummond, H. H.
Dugdale, W. S.
Duncombe, T.
Duncombe, hon. A.
East, J. B.
Egerton, W. T.

Egerton, Sir P.
Eliot, Lord
Emlyn, Visct.
Escott, B.
Fellowes, E.
Fitzroy, hon. H.
Flower, Sir J.
Fuller, A. E.
Gladstone, rt. hn. W. E.
Gladstone, Capt.
Glynne, Sir S. R.
Gordon, hon. Capt.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Granger, T. C.
Greenall, P.
Grimsditch, T.
Grimston, Visct.
Hale, R. B.
Halford, H.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hardy, J.
Heathcote, Sir W.
Heneage, G. H. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hillsborough, Earl of
Hodgson, F.
Holmes, hn. W. A'Ct.
Hope, hon. C.
Hope, A.
Hope, G. W.
Hornby, J.
Howard, P. H.
Hughes, W. B.
Hussey, A.
Hutt, W.
Ingestre, Visct.
Inglis Sir R. H.
Jermyn, Earl
Jocelyn, Visct.
Jones, Capt.
Kemble, H.
Ker, D. S.
Kirk, P.
Knatchbull, rt. hn. Sir E.
Knight, H. G.
Lambton, H.
Lascelles, hon. W. S.
Law, hon. C. E.
Lawson, A.
Legh, G. C.
Lennox, Lord A.
Leslie, C. P.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, H. H.
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. G.
Mackenzie, T.
Mackenzie, W. F.
Maclean, D.
Mc Geachy, F. A.
Mahon, Visct.
Mainwaring, T.
Marsham, Visct.
Martin, C. W.
Marton, G.
Masterman, J.
Maunsell, T. P.
Miles, P. W. S.
Morgan, O.
Morgan, C.
Munday, E. M.
Newport, Visct.
Newry, Visct.
Norreys, Lord
Northland, Visct.
O'Brien, W. S.
Owen, Sir J.
Packe, C. W.
Paget, Lord W.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Pennant, hon. Col.
Plumptre, J. P.
Pollington, Visct.
Pollock, Sir F.
Praed, W. T.
Pringle, A.
Reid, Sir J. R.
Rice, E. R.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, C. G.
Round, J.
Rous, hon. Capt.
Russell, C.
Russell, J. D. W.
Ryder, hon. G. D.
Sandon, Visct.
Scarlett, hon. R. C.
Seymour, Sir H. B.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Smith, A.
Smith, rt. hn. T. B. C.
Sotheron, T. H. S.
Stanley, Lord
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Thesiger, F.
Thornhill, G.
Trench, Sir F. W.
Trevor, hon. G. R.
Trotter, J.
Vesey, hon. T.
Vivian, J. E.
Wakley, T.
Walsh, Sir J. B.
Welby, G. E.
Wellesley, Lord C.
Whitmore, T. C.
Wilbraham, hn. R. B.
Williams, W.
Wood, Col.
Wood, Col. T.
Wood, G. W.
Wortley, hon. J. S.
Wortley, hon. Jn. S.
Wynn, Sir W. W.
Yorke, hon. E. T.
Young, J.

TELLERS.

Fremantle, Sir T.
Gaskell, J. Milnes

List of the Noes.

Allix, J. P.
Archbold, R.
Bailey, J. Jun.
Bankes, G.
Bannerman, A.
Baring, rt. hon. F. T.
Barnard, E. G.
Barneby, J.
Barrington, Visct.
Baskerville, T. B. M.
Benett, J.
Berkeley, hon. C.
Bernal, C.
Blackstone, W. S.
Blake Sir V.
Blewitt, R. J.
Broadley, H.
Buck, L. W.
Busfeild, W.
Byng, rt. hon. G. S.
Cave, hon. R. O.
Cavendish, hn. C. C.
Cavendish, hn. G. H.
Chetwode, Sir J.
Childers, J. W.
Christie, W. D.
Christopher, R. A.
Clements, Visct.
Colborne, hn. W. N. R.
Colvile, C. R.
Corbally, M. E.
Craig, W. G.
Curteis, H. B.
Dalmeny, Lord
Dawson, hon. T. V.
Denison, J. E.
Dick, Quintin
D'Israeli, B.
Drax, J. S. W. S. E.
Duff, J.
Duncan, Visct.
Duncan, G.
Duncomb, hon. O.
Dundas, Adm.
Dundas, D.
Du Pre, C. G.
Eaton, R. J.
Ebrington, Visct.
Evans, W.
Ewart, W.
Farnham, E. B.
Fitzmaurice, hon. W.
French, F.
Gisborne, T.
Gore, W. O.
Gore, hon. R.
Greenaway, C.
Grey, rt. hon. Sir G.
Hall, Sir B.
Hallyburton, Lord J. F.
Hay, Sir A. L.
Hayes, Sir E.
Heathcote, G. J.
Heneage, E.
Henley, J. W.
Henniker, Lord
Hoskins, K.
Howard, hon. J. K.
Howard, Lord
Howard, hon. H.
Jolliffe, Sir W. G. H.
Knightley, Sir C.
Labouchere, rt. hn. H.
Layard, Capt.
Lefroy, A.
Leveson, Lord
Listowel, Earl of
Mc. Taggart, Sir J.
Maher, V.
Manners, Lord C. S.
Manners, Lord J.
March, Earl of
Majoribanks, S.
Marshall, W.
Martin, J.
Miles, W.
Mitcalfe, H.
Mitchell, T. A.
Murphy, F. S.
Murray, C. R. S.
Napier, Sir C.
Neeld, J.
Neeld, John
Norreys, Sir D. J.
O'Brien, A. S.
Ogle, S. C. H.
Ossulston, Lord
Paget, Lord A.
Palmer, R.
Palmerston, Visct.
Philips, G. R.
Plumridge, Capt.
Ponsonby, hon. J. G.
Pusey, P.
Redington, T. N.
Rendlesham, Lord
Repton, G. W. J.
Ross, D. R.
Rushbrooke, Col.
Russell, Lord J.

Seale, Sir J. H.
Seymour, Lord
Sheil, rt. hon. R. L.
Sibthorp, Col.
Smith, rt. hon. R. V.
Smyth, Sir H.
Stansfield, W. R. C.
Stanton, W. H.
Stewart, P. M.
Stuart, Lord J.
Strickland, Sir G.
Strutt, E.
Tollemache, J.
Traill G.
Trollope, Sir J.
Turnor, C.
Vivian, J. H.
Waddington, H. S.
Watson, W. H.
Wawn, J. T.
Winnington, Sir T. E.
Wodehouse, E.
Wood, B.
Wood, C.
Worsley, Lord
Wyndham, Col. C.
Wyse, T.

TELLERS.

Parker, J.
Tufnell, H.

Resolutions to be reported.

IRISH YEOMANRY—ARMS BILL.] Viscount *Clements* moved for a

> "Copy of the orders issued by his Majesty's Government in 1831, and following years, for disbanding the Yeomanry Corps in Ireland, together with all correspondence between the Government of that day, and officers of yeomanry relative to the disbanding of the above corps."

The Arms Bill at present before the House, and with respect to which he moved for these returns, was unconstitutional and diabolical. The arms of the disbanded yeomanry had been dispersed through the country, and he thought it important that all the orders connected with their disbandment should be laid before the House. He left it to the House and to the country to judge of the animus of a Government which attempted to pass such a measure as the one to which he had alluded.

Lord *Eliot* said, that the noble Lord had given a specimen of the temperate manner in which he wished the measure in question to be discussed. He should, however, strictly confine himself in reply to the circumstances under which the motion for these returns was made. He was prepared to give the noble Lord all the returns with reference to arms which he could desire, but what he sought for was a correspondence extending over eleven years, which might contain much matter quite unfit for the public eye, and therefore he thought it his duty not at once to give the House an opportunity of examining that correspondence. He did not wish to withhold any information necessary for the due consideration of the Irish Arms Bill, but he did not think, that the correspondence in question was necessary for that purpose. If, however, the noble Lord would postpone his motion for the present, he would examine the papers referred to, and furnish such extracts as were consistent with his public duty.

Mr. *Redington* said, the House would excuse any little excitement on the part of his noble Friend on the subject of a measure which the noble Lord opposite would not dare to offer to his own country. He thought, upon the whole, that the latter part of the noble Lord's proposition was a fair one, and he would advise his noble Friend to accede to it.

Mr. *S. O'Brien* said, that Irish Members were treated with great disrespect by the Government. The way in which the consideration of the Irish Arms Bill had been treated, was a specimen of the way in which Irish Members were used by the present Government. He thought, that the returns which were referred to in the first portion of the motion should at once be ordered.

Viscount *Clements*: The noble Lord, the Secretary for Ireland, knows very well —none better—that personally I have a very great respect for him; but then is it to be supposed that I am to weigh my words, to balance phrases, to smooth down my sentences, when I see the measures that he proposes for Ireland? What would be his feelings, or what his expressions, if I presumed to propose for England a measure such as that which he has dared to suggest should be established in Ireland? What, Sir, are these things to be done, and are we to say that we are satisfied? Sir, we are not satisfied—we are not content—we are dissatisfied—we are very much dissatisfied in Ireland—we have to complain of the treatment that we receive, of the injury that is done, of the wrong that is attempted—we want a Government in Ireland—we have none, we have a Camarilla in Dublin Castle, but we have no Government—we want English legislation in Ireland—we want to have that legislation in this House. If we are not to have it—if that is not to take place, then the sooner we know it in Ireland the better. Let the people of Ireland know what your intentions are— avow them, if you are prepared to act upon them. Inform us, I say, how you intend to govern us; for that which we most dislike is, that you should proceed, as you have done, in the dark. I repeat it, let there be no concealment. What we ask, we ask boldly, plainly, distinctly.

We ask you to govern in Ireland as you do in England—we ask for this—we ask for no more. Grant it, or otherwise we shall remain dissatisfied—we shall remain discontented, and in a state of agitation.

Sir *Robert Peel* said, that if notice had been given ten days ago, there would have been time for the examination of documents. No one could undertake to determine whether certain papers should be given or not without having an opportunity of consulting the archives of his office. This, in the case of the noble Lord, the Secretary for Ireland, could not be done at once, but his noble Friend would take the earliest opportunity of making the necessary inquiries.

Mr. *Morgan J. O'Connell* saw nothing to prevent the Government from at once giving up the papers required in the first part of the motion. There was, or ought to be, nothing secret about them. Should they not grant mere official papers without previous inquiry? Had they brought in the Irish Arms Bill without making due inquiry, and obtaining due information?—and if they had done so, was that not indeed a precious excuse for refusing to give to the House papers which they could not legislate with advantage without? The refusal of the returns would be a piece of unfairness—of total injustice.

Viscount *Palmerston* observed, that one portion of the motion of the noble Lord, as it appeared to him, related to a matter that must be of public notoriety. From his own recollections he was disposed to say, that an order to disband a yeomanry corps must be a mere matter of official routine, and to the production of which there could be no possible objection. It might be otherwise with papers that possibly were confidential.

Sir *R. Peel* observed, that his presumption was that of the noble Lord; but what they required was, the opportunity of referring to the documents. If the orders were to be of general operation, they could be produced without any difficulty.

Viscount *Clements* felt disposed, after what had occurred, to postpone his motion.

Motion postponed.

REPEAL OF THE UNION (IRELAND)—DISMISSAL OF MAGISTRATES — MR. O'CONNELL.] Mr. *M. J. O'Connell* had, he said, a question to put to the noble Lord, the Secretary for Ireland. He understood that it had been announced elsewhere, that certain magistrates in Ireland had been removed from the commission of the peace, and he also understood, that three of those persons had been named — one was a Member of that House, another was an Irish Peer, and the third had, as he was informed, been named also. The questions that he now wished to ask were, first, was the information he had received correct? secondly, whether any other magistrates, except these three, the hon. Member for Cork, Lord Ffrench, and Sir Michael Dillon, had been dismissed; and third, whether there would be any objection to lay on the Table of the House the list of those who had been removed. To these questions he now wished to have a reply, as the House did not meet until Monday.

Sir *James Graham* replied, he had received an official communication from the Lord Chancellor of Ireland, to the effect that, in the discharge of his duty, he had thought fit to remove from the commission of the peace Lord Ffrench, for having presided at a meeting where the question of repeal had been discussed, and also that he thought it his duty to remove the hon. Member for Cork from the commission of the peace, for the same reason. He had not heard of the third removal having taken place. He had received no communication to that effect.

Mr. *Smith O'Brien* was, he said, a magistrate for two counties; and he wished to know, supposing he presented a petition praying for a Repeal of the Union, whether the commission of the peace would be taken from him?

Sir *James Graham*: If the hon. Gentleman attended a repeal meeting, there could be no doubt but that the Lord Chancellor of Ireland would remove him from the commission of the peace.

Lord *John Russell* asked, if it were stated by the Lord Chancellor of Ireland whether, in thus acting, he had followed the desire, or attended to the recommendation, of the Lord-lieutenant?

Sir *James Graham*, no. It was in the discretion of the Lord Chancellor to act upon his own judgment, solely in such a matter as this, and not under the direction of others; but he, on the part of her Majesty's Government, said that the step taken was approved of by himself and his Colleagues.

Mr. *Redington* asked whether any communications had been made, through the official organs, such as the lord-lieutenants of counties, by the Government here, or by the Lord Chancellor in Ireland, as the responsible officer, intimating to the magistrates, what were the crimes, or what the measures in which, if they took part, they should be liable to dismission from the commission of the peace.

Sir *James Graham:* No general order had been issued in this country, or in Ireland. Each case depended upon its own merits as it arose, and would be so decided upon by the responsible Advisers of the Crown.

Mr. *Smith O'Brien* wished to know if the right hon. Gentleman would inform him whether he had received an account of any breach of the peace having been committed—whether these meetings had been held, except in the case of the assassination of an unfortune repealer, at a place called Clones. He wished to know, with that exception, whether he had received the account of any breach of the peace at these meetings?

Sir *James Graham* had not received information of any breach of the peace, except in the case referred to by the hon. Gentleman, as to the death of one unfortunate man; but on the other hand, he had been informed that tumultuous assemblies had taken place under circumstances which had produced the greatest possible excitement and alarm amongst her Majesty's loyal subjects.

Mr. *Sheil* wished to know whether, before the meeting that had been attended by Lord Ffrench, notice had been given to Lord Ffrench respecting it?

Sir *James Graham* remarked that nothing could be less expected by him than that questions on this subject should be put to him that evening. He had not had the slightest intimation that it was intended to put them. It was not the usual time for putting them, and he was quite satisfied that the House must perceive there was some irregularity in the proceeding; but, then, in a matter of this kind he was most anxious at all times to answer such questions as should be asked of him, but it was most important that he should be able to answer with accuracy. To the best of his recollection, the Lord Chancellor had specifically directed the attention of Lord Ffrench to the matter. The Lord Chancellor seeing the name of Lord Ffrench appended to a requisition calling a meeting, and seeing he was about to interfere when the question of the repeal of the union was to be agitated, the Lord Chancellor communicated with Lord Ffrench, and asked him whether it was his intention to attend that meeting. Lord Ffrench replied that he did so intend. He thought that in the same communication the Lord Chancellor observed, that it was not consistent with his Lordship's duty to attend that meeting. Lord Ffrench's answer was, that, whatever might be the consequences, it was his fixed determination to attend. He did attend; and then it was that his Lordship was deprived of the commission of the peace. This was his recollection of the correspondence; but the right hon. Gentleman must excuse him if there were any inaccuracy in the statement.

House adjourned at a quarter past twelve o'clock.

HOUSE OF COMMONS,

Monday, May 29, 1843.

MINUTES.] BILLS. *Public.*—1°· Canada Wheat Importation; Coroner's Inquests.

2°· Church Endowment.

Reported.—Ecclesiastical Courts.

Private.—*Reported.*—Lough Foyle Drainage.

3°· Bury, etc. Navigation, and Llanelly Harbour; Kentish Town Paving; Southampton Cemetery.

PETITIONS PRESENTED. By Messrs. G. Berkeley, Hindley, Plumptre, Scholefield, Busfeild, Ponsonby, Jervis, Roebuck, Protheroe, Elphinstone, Aldam, G. W. Wood, Dickenson, O. Stanley, and C. Wood, Lords Worsley, Ebrington, and A. Lennox, Dr. Bowring, Captain Bernal, Viscount Palmerston, Captain Pechell, and Sir G. Strickland, from an immense number of places, against the Factories Bill; and from several places, in favour of the same.—From Manchester, for Abolishing the Oaths and Subscripton at the Universities.—From Trim, against the Irish Corporations Bill.—From Charles Hastings, M.D., for Exempting Literary and Scientific Institutions from Taxes.—From Sligo, for Amending the Law relating to the Butter Trade.—From four places, against the Union of the Sees of St. Asaph and Bangor.—From Lanark, for Increasing the Salary of Scotch Schoolmasters.—From Drogheda, against the Poor Relief (Ireland) Bill.—From Dingwall, for carrying Rowland Hill's Plan of Post-Office Reform.—From Sheepshead and Nottingham, for Mitigation of Punishment of Thomas Cooper and other Prisoners, for Sedition in Stafford Gaol.—From three places in Ireland, for Protection to the Agricultural Interest.—From Ifield, for Altering the Poor-law Amendment Act.—From Harmston, against the Ecclesiastical Courts Bill.—From Wingfield, and Nonington, for the Repeal of the Malt Tax.—From four places, against the Canada Wheat Bill.

REPEAL OF THE UNION—IRELAND—DISMISSAL OF MAGISTRATES.] Mr. *Redington:* I wish to put a question to the right hon. Baronet the Secretary for the Home Department respecting the recent dismissal of some magistrates in Ireland.

Since the last meeting of the House, the letter of the Lord Chancellor of Ireland to Lord Ffrench, stating the grounds on which that nobleman had been removed from the commission of the peace, had been published. That letter refers to a certain declaration made by the right hon. Baronet at the head of the Government with respect to her Majesty's views on the subject of repeal, and the circumstance of Lord Ffrench having attended a meeting to petition for the repeal of the union after the right hon. Baronet had made that declaration, is stated to be the cause of Lord Ffrench's dismissal. The Lord Chancellor of Ireland, in the same letter, declares that he conceives it to be his duty to dismiss all magistrates who may attend repeal meetings; his Lordship says:—

> "Your Lordship's determination to preside over such a meeting, immediately after the declarations in Parliament, proves to the Lord Chancellor that the time has arrived for evincing the determination of this Government to delegate no power to those who seek by such measures as are now pursued to dissolve the legislative union. To allow such persons to remain any longer in the commission of the peace would be to afford the power of the Crown to the carrying of a measure which her Majesty has, like her predecessor, expressed her determination to prevent. This view of the case, which the step taken by your Lordship has forced upon the attention of the Lord Chancellor, will compel him at once to supersede any other magistrates, who, since the declaration in Parliament, have attended like repeal meetings."

I wish to ask the right hon. Baronet whether any, and what communication has been made—officially, I mean, of course—to the Lord Chancellor of Ireland of the declaration of her Majesty's determination to prevent the repeal of the union; and, in the second place, I beg to ask whether that declaration has been communicated to the magistracy of Ireland by the Lord Chancellor of that country?

Sir *James Graham:* When her Majesty's present Ministers came into office, they, immediately after their appointment, felt it to be their duty, when the Great Seal of Ireland was entrusted to Sir Edward Sugden, to direct him, in the name and on the behalf of her Majesty, acting under the advice of her constitutional advisers, to use all the powers he possessed, within the limits of the constitution, to discourage every effort which might be made to subvert the Legislative Union, between the two countries. At a later period, in consequence of events which have recently occurred in Ireland, the First Minister of the Crown in this House—in the name of her Majesty, and on behalf of her Majesty — made a declaration, for which her Majesty's Advisers are responsible, that it was her Majesty's determination to adopt, in full, the declaration made by her Royal Predecessor upon this subject, and that all the power and authority entrusted to her by the laws and the constitution of the country would be exerted to discourage to the utmost every attempt to subvert the Legislative Union. I have no hesitation in telling the hon. Member that in consequence of the instructions given to the Lord Chancellor of Ireland, when he first went to that country, but, more especially, in consequence of the declaration made by my right hon. Friend at the head of the Government, in her Majesty's name, the communication was made to Lord Ffrench, to which the hon. Member has adverted.

Mr. *Redington:* The right hon. Baronet has not answered my question. I wish to know in what manner the declaration of her Majesty, which, I think, ought to be treated with the utmost respect, was made officially known to the highest legal functionary in Ireland, inasmuch as that functionary has made the circumstance of a magistrate attending a meeting to petition for a Repeal of the Union, after such declaration was made, the ground for dismissing him from the magistracy.

Sir *J. Graham:* I think I have sufficiently answered the hon. Member. I have told him that the Lord Chancellor of Ireland has acted under the general instructions which he received from her Majesty's Government to discourage all attempts to subvert the Legislative Union, more especially after the declaration recently made by the First Minister of the Crown, in his place in Parliament. I am not prepared to say, that any after official communication has meen made to the Lord Chancellor of Ireland.

Mr. *Redington:* Am I then to understand this, that the Lord Chancellor of Ireland felt himself justified in referring to her Majesty's declaration, merely because he may have read reports of what passed in this House?

Sir *J. Graham:* I have told the hon. Member that the Lord Chancellor, and, I may add, the Lord-lieutenant of Ireland, have received instructions from her Majesty's Government, to discourage every effort to subvert the Legislative Union. It is certainly true, that from time to time, under various circumstances, confidential and official communications have taken place between her Majesty's Ministers and the Irish Government; but it appears to me that I have already stated sufficient to justify the course which has been pursued. If, however, the hon. Member entertains a different opinion he can take the sense of the House on the question. [*Hear.*]

Mr. *Redington:* After what the right hon. Baronet has said, I hope I may be allowed to say one word. The right hon. Baronet is not justified in raising a cheer by attempting to fix upon me the advocacy of the Repeal of the Union, and taking credit to himself for opposing it. I wish to ask another question; has the Lord Chancellor of Ireland sent any official notification on this subject to other magistrates?

Sir *J. Graham:* I cannot, with certainty, answer the hon. Member's question. The Lord Chancellor of Ireland's letter to Lord Ffrench is correctly given in the usual channels of information, and I believe that the Lord Chancellor has communicated copies of the letter to various magistrates.

Mr. *Wyse:* It appears that Lord Ffrench has been dismissed from the magistracy for attending a public meeting, at which the question of a Repeal of the Union was to be agitated, on the ground that a breach of the peace might be apprehended from such meetings. Now, I wish to know, whether it is to be understood that the magistrates of Ireland are liable to be dismissed for attending dinners where there can be no apprehension of a breach of the peace, but where the question of Repeal may be discussed?

Sir *J. Graham:* I must decline answering hypothetical questions. Without referring to hypothetical cases, however, I may remind the hon. Member that there are instances of gentlemen being dismissed from the magistracy on account of toasts drunk at dinners.

AFFAIRS OF SERVIA.] Lord *Palmerston* said that some time ago the right hon. Baronet at the head of the Government promised to lay upon the Table copies of certain treaties with Servia, and the hatti scheriff of 1829. He (Lord Palmerston) at that time asked whether the right hon. Baronet would not also lay upon the Table such extracts from the despatches of our ambassador at Constantinople and our Consul-general in Servia, as would show, not the course of the negotiations, but an outline of the facts of the case. One of the points in dispute between the court of Russia and the Porte was, whether the recent election had or had not taken place in conformity with the stipulations of the treaty, and, therefore, it was important that the House should have before it some information which would show in what respect the election was irregular, so as to afford ground for the representations made by the Russian Government. He wished to know whether the right hon. Baronet saw any objection to produce the extracts to which he had referred.

Sir *R. Peel* said, that the course of facts relative to the affairs of Servia would be best ascertained from the despatches of our consul there. The circumstances of the case could not be so well known to Sir Stratford Canning, our ambassador at Constantinople, and he could not at present undertake to lay upon the Table any portion of his Excellency's communication. He, however, had no objection to lay upon the Table such extracts from the despatches of Mr. Fonblanque, our consul at Servia, as would give a view of the facts of the case. The only difficulty which occurred to him with reference to this point, arose from the circumstance of the disputes in Servia not being terminated, and the probability which existed that a fresh election would take place. That being the case, it was of importance that nothing should be laid upon the Table of the House, which could compromise the interests or characters of individuals. With some reservation upon that point, he would lay upon the Table such extracts from the despatches of our consul at Servia as would give a fair view of the facts of the case.

CANADA CORN-LAW.] Mr. *Greene* brought up the Report of the Committee on Canada Corn.

On the question that the resolution be read a second time.

Mr. *M. Gibson* said, he rose to explain why he objected to this resolution being read a second time, and why he should move the amendment of which he had given notice. The motion of the noble Lord, the Member for London, raised the simple question whether the Imperial Legislature was to be dependant on the colonial Legislature, or the colonial Legislature on the Imperial Legislature. He gave his vote in favour of that motion, because he considered it wrong that the superior Legislature should depend on the inferior one. The question he now wished to raise was, whether that House considered that, in admitting corn on payment of a nominal duty into this country, it was a necessary condition that there should be a duty on foreign corn imposed previous to its passing the frontier into Canada? When the noble Lord (Lord Stanley) invited the House to go into committee for the purpose of reducing the duty on Canadian corn, he said that the population in this country was increasing at the rate of three hundred thousand annually, and it was, therefore, necessary that something should be done, in order that we might not be wholly dependent on corn of our own growth. Well, then, in common justice, they ought to allow the consumers in Canada to replace the produce taken away to this country in the easiest possible manner to themselves. That was the principle adopted with respect to Jersey and Guernsey. He had heard it stated, that there was a probability in the course of time that there would be a large import of corn from Canada into this country. He hoped there might; but whether there was or not, he must take the recommendation of the measure from the mouth of the noble Lord the Secretary for the Colonies; his principle was, that they ought to take of the duty, because no great quantity of corn could come in. The House had, on a previous occasion, refused to impose a duty of 3*s.* a quarter to be levied on the frontier of Canada. Having done that, he could not understand on what principle her Majesty's Government had thought proper to recommend the Canadian Legislature to impose that duty on foreign corn. Before he sat down he wished to put a question to the noble Lord the Secretary for the Colonies. That noble Lord had said, in his opening speech, that corn imported into the colony, and there ground into flour, became the produce of that colony, and might, in that character, be introduced into this country. What he (Mr. Milner Gibson) wished to know was, whether the noble Lord intended to extend this principle to all the other British colonies, or whether it extended to them already? He (Mr. Milner Gibson) had heard it stated, that in that case there would be a great desire to make arrangements in various of our colonies—in Heligoland, for instance—to import foreign corn, grind it into flour, and import it into this country as colonial produce, at the scale of duties now in force for colonial corn. In conclusion, he would move as an amendment to the motion, that all the words of the motion after the word "That" be left out, in order to add these words—

> "That in reducing the duty on the importation of Canada wheat and wheat flour into the United Kingdom, it is not expedient that such reduction should be made contingent on the imposition or maintenance of a duty on the importation of foreign corn into Canada."

Dr. *Bowring* seconded the amendment. It was his wish to separate the evil from the good in the proposed measure of the noble Lord. The bill would do good by facilitating the introduction of the surplus corn of Canada into this country, but to provent the corn of America from going free of duty into Canada would be an evil, and from this evil it was the object of the proposed amendment to relieve the noble Lord's measure.

Lord *Stanley* hoped the hon. Gentleman would not think him guilty of any disrespect if he declined opening the general question again, which, he thought, had already been sufficiently discussed. He confessed he was unable to draw any distinction between the amendment now proposed by the hon. Gentleman and that which was proposed on Friday last by the noble Lord the Member for London. The noble Lord, in his amendment, moved to omit so much of his (Lord Stanley's) resolutions as referred to an act agreed to by the Legislature of Canada, and rendered the legislation of the Parliament of this country dependent on that of the provincial Legislature. The amendment of the hon. Gentleman was framed on the same principle. His motion was made on a distinct understanding that the measure would tend to the encouragement of agriculture in Canada, and that there should be a protection against the introduction of American corn. He could not now consent to a motion which would enable the colony to obtain the benefit of the proposed arrangement, without affording to the agriculture of this country the intended protection against corn the produce of America. With respect to the question put by the hon. Gentleman opposite. What he had stated when he had proposed the measure was, that an article which, after having been imported into a colony, passed there through a process of manufacture, became the manufacture of that colony, and that corn, when manufactured into flour, followed the general rule of other manufactures. He ought to have added, that with respect to the grinding of corn, a special exception extended to all British possessions in Europe. The Channel Islands, and all other British possessions in Europe, were excepted from the general rule.

Mr. *Thornely* said, that he had heard it stated on the authority of Lord Ashburton, that the late tariff of America had been passed for purposes of revenue only. Now, he had spent three months last autumn in America, where he had discussed this question of the tariff with merchants, and with persons in every position of life, and he had never met with any individual who did not admit that the tariff, from first to last, was arranged with a view to the protection of American manufactures, and with a view to the injury of foreign manufactures. He was sure that the Board of Trade would state that the American tariff was passed not with a view to revenue, but with a view to protection. Tea and coffee were admitted free of duty, because those articles were not grown in the United States, and did not, therefore, require protection, and they were not subjected to duty, on purpose that a higher duty might be laid on manufactures. He was perfectly surprised that Lord Ashburton could be so prejudiced as to believe that the tariff had been framed with a view to revenue. He did not believe that the British Government would succeed in obtaining a commercial treaty with the United States. The Government of that country was weak, and had six and twenty conflicting interests to deal with. Still it was the English Corn-law that mainly enabled that Government to carry so high a tariff, and while the sliding-scale was maintained here it would be impossible to prevent a high tariff from being maintained in America.

Mr. *Villiers*, amid marks of impatience, said, that the noble Lord's answer to his hon. Friend's amendment, that the measure was not intended to increase the supply of food in this country, was not consistent with the hint that he had given to his agricultural friends at the close of his first speech—namely, that they must remember that the people of this country were increasing at the rate of 300,000 a year; that they were not able adequately to supply them with food themselves, and that the people must be fed. The noble Lord must have contemplated, that the people would draw additional supplies from Canada. Now, his hon. Friend said, that the fixed duty of which he complained tended to make this difficult, or at least could only be effected at the expense of the colonists, whose food would be rendered dear and scarce should they supply the deficiency; and, in this respect he begged to direct the noble Lord's attention to the effect of this duty upon Canada, regarding it merely, as he termed it himself, a colonial measure. It had been admitted that the duty would keep out so much American produce, and thereby raise the price of that of Canada. It would then be a Corn-law, and would be attended with its necessary consequences—it would raise the cost of living and diminish the means of the consumer where it was imposed. Now, observe the effect of that: It was alleged to be the great object of colonies to provide vent for our surplus people, and enable them to become customers for our manufactures. Now, what would be the effect of raising the cost of living in Canada? Why, to make the United States preferable to Canada for the poorer emigrants to go to, or if their wages were raised in Canada in consequence, to make labour more dear, which was no advantage to the capitalist. Now, the noble Lord knew that the tendency of the emigrants was to go to the United States in preference to remain in Canada. Would not that be increased? Again, if the cost of living was made high in Canada, would not fewer manufactures be consumed. The answer to this was, that there would be smuggling. This was no defence; for it was not intended; he thought that the best opinions were in favour of this impediment to the trade being successful. He believed it would be; and he asked upon what possible ground of sense or justice were they entitled to cast any impediment in the way of trade, or of the progress of a country to acquire which they had paid so dearly, and which cost them so much to maintain? What was the meaning of this country paying for public works in that colony, of guaranteeing loans for canals, all for the purpose of facilitating the transit trade of that country, and then deliberately and wantonly throwing an obstruction in the way of that trade? Only last year, one million and a half, he believed, had been raised to improve some part of the navigation. The chief trade was known to be in American produce sent to this country to purchase manufactures, and yet this year they insist upon what is called a fixed duty, which is a permanent obstruction being put in the way of the transit of that produce to this country. The fact was, that this duty, which the Canadians had beeen compelled by the landlords here to pass, nearly counteracted what was really good in the measure, namely, the total and instant removal of the old obstruction to the trade between Canada and England. That, he allowed, was good, and of which he approved much, but a monstrous absurdity it was that it should ever have existed. It was indeed only last year that an emigrant a poor man, who had been destitute in this country, had gone to Canada, and had been able by his industry to remit a quantity of flour to his mother and another relative who were living miserably at home. Information was received by them that this flour was in bond, and an application was formally made to the Treasury to allow these two poor old starving people to have the food that the son had sent them; and a formal letter, signed by the Secretary of the Treasury, was sent to inform them that no such indulgence could be allowed them. Could anything be conceived more absurd than maintaining a colony and sending out emigrants at great expense for such a result as this? He was afraid that by not allowing the Canadians to supply themselves at the cheapest market, after remitting their own produce to this country, they would continue a system equally unjust and injurious. He was opposed, therefore, entirely to the fixed duty part of the measure, and should vote for his hon. Friend, though, as he said, the entire and instant removal of all duty on food between England and any other country, he should always deem a valuable change.

The House divided on the question that the words proposed to be left out stand part of the question.—Ayes 195; Noes 83: Majority 112.

List of the Ayes.

Ackers, J.
A'Court, Capt.
Ainsworth, Peter
Allix, J. P.
Arbuthnott, hon. H.
Arkwright, G.
Baillie, Col.
Baillie, H. J.
Baird, W.
Baring, hon. W. B.
Barneby, J.
Barrington, Visct.
Baskerville, T. B. M.
Bell, M.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bramston, T. W.
Broadley, H.
Broadwood, H.
Brownrigg, J. S.
Bruce, Lord E.
Bruce, C. L. C.
Buckley, E.
Buller, Sir J. Y.
Bunbury, T.
Burrell, Sir C. M.
Cardwell, E.
Charteris, hn. F.
Chelsea, Visct.
Chetwode, Sir J.
Cholmondeley, hn. H.
Christopher, R. A.
Clerk, Sir G.
Clive, Visct.
Clive, hon. R. H.
Cochrane, A.
Collett, W. R.
Compton, H. C.
Connolly, Col.
Coote, Sir C. H.
Corry, rt. hon. H.
Courtney, Lord
Cresswell, B.
Cripps, W.
Damer, hon. Col.
Darby, G.
Denison, E. B.
Dickinson, F. H.
Disraeli, B.
Divett, E.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Drummond, H. H.
Dugdale, W. S.
Duncombe, hon. A.
Duncombe, hon. O.
Du Pre, C. G.
Eastnor, Visct.
Egerton, W. T.
Egerton, Lord F.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Farnham, E. B.
Feilden, W.
Fellowes, E.
Filmer, Sir E.
Fitzmaurice, hon. W.
Flower, Sir J.
Follett, Sir W. W.
Forbes, W.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Gladstone, Capt.
Glynne, Sir S. R.
Godson, R.
Gordon, hon. Capt.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greenaway, C.
Greene, T.
Grimsditch, T.
Grimston, Visct.
Hale, R. B.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hatton, Capt. V.
Henley, J. W.
Henniker, Lord
Hepburn, Sir T. B.
Hervey, Lord A.
Hinde, J. H.
Hodgson, R.
Holmes, hon. W. A'C
Hope, hon. C.
Hope, A.
Hope, G. W.
Hughes, W. B.
Hussey, T.
Ingestre, Visct.
Irving, J.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, Sir J.
Jones, Capt.
Kelly, F. R.
Kemble, H.
Knatchbull, rt. hn. Sir E
Knight, H. G.
Lawson, A.
Legh, G. C.
Lemon, Sir C.
Lincoln, Earl of
Lockhart, W.
Lowther, hon. Col.
Mackenzie, T.
Mackenzie, W. F.
Mackinnon, W. A.
Mainwaring, T.
Marsham, Visct.
Martin, C. W.
Marton, G.
Master, T. W. C.
Meynell, Capt.
Mildmay, H. St. J.
Miles, P. W. S.
Miles, W.
Mordaunt, Sir J.
Morgan, O.
Morgan, C.
Mundy, E. M.
Murray, C. R. S.
Newry, Visct.
Nicholl, rt. hon. J.
Northland, Visct.
Packe, C. W.
Pakington, J. S.
Palmer, R.
Patten, J. W.
Peel, rt. hn. Sir R.
Peel, J.
Pennant, hn. Col.
Plumptre, J. P.
Polhill, F.
Pollington, Visct.
Pollock, Sir F.
Pringle, A.
Pusey, P.

Reid, Sir J. R.
Rolleston, Col.
Rose, rt. hn. Sir G.
Round, C. G.
Round, J.
Rous, hon. Capt.
Rushbrooke, Col.
Sandon, Visct.
Shaw, rt. hon. F.
Sheppard, T.
Smith, A.
Smith, rt. hn. T. B. C.
Smythe, hon. G.
Smollett, A.
Stanley, Lord
Stanley, E.
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Thesiger, F.
Thornhill, G.
Tollemache, J.
Tomline, G.
Trench, Sir F. W.
Trotter, J.
Turner, E.
Turnor, C.
Tyrell, Sir J. T.
Verner, Col.
Vernon, G. H.
Vesey, hon. T.
Waddington, H. S.
Walsh, Sir J. B.
Welby, G. E.
Wilbraham, hon. R. B.
Wortley, hon. J. S.
Wortley, hon. J. S.
Yorke, hon. E. T.
Young, J.

TELLERS.
Fremantle, Sir T.
Baring, H.

List of the NOES.

Barclay, D.
Baring, rt. hn. F. T.
Barnard, E. G.
Berkeley, hon. C.
Berkeley, hon. Capt.
Blake, Sir V.
Blewitt, R. J.
Brotherton, J.
Browne, hon. W.
Busfeild, W.
Carew, hn. C. R. S.
Cavendish, hn. C. C.
Cavendish, hn. G. H.
Chapman, B.
Childers, J. W.
Christie, W. D.
Colebrooke, Sir T. E.
Corbally, M. E.
Currie, R.
D'Eyncourt, rt. hn. C. T.
Duncan, Visct.
Duncan, G.
Dundas, D.
Ebrington, Visct.
Elphinstone, H.
Ewart, W.
Ferguson, Col.
Fitzroy, Lord C.
Forster, M.
Gisborne, T.
Gore, hon. R.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hallyburton, Lord J.
Hastie, A.
Hawes, B.
Horsman, E.
Howard, hn. C. W. G.
Howard, Lord
Hutt, W.
Layard, Capt.
Lord Mayor of London
Mangles, R. D.
Marsland, H.
Martin, J.
Maule, rt. hon. F.
Mitchell, T. A.
Morison, Gen.
Murphy, F. S.
Napier, Sir C.
O'Brien, J.
O'Connell, M. J.
O'Connor, D.
Ord, W.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Philips, G. R.
Philips, M.
Plumridge, Capt.
Pulsford, R.
Ricardo, J. L.
Russell, Lord J.
Scrope, G. P.
Seale, Sir J. H.
Sheil, rt. hn. R. L.
Smith, rt. hn. R. V.
Stansfield, W. R. C.
Stewart, P. M.
Strickland, Sir G.
Strutt, E.
Tancred, H. W.
Thornley, T.
Tufnell, H.
Villiers, hon. C.
Vivian, J. H.
Wall, C. B.
Ward, H. G.
Wawn, J. T.
Winnington, Sir T. E.
Wood, B.
Wood, G. W.
Wyse, T.

TELLERS.
Gibson, M.
Bowring, Dr.

Main question agreed to.

The resolutions read a second time.

On the question that a bill in conformity to the resolution be brought in,

Lord *John Russell* said, the House having approved of the measure, and the matter having been fully discussed, he did not mean to impede its further progress, but he wished to protest against the adoption of the bill being hereafter considered as a contract by the Imperial Parliament. If hereafter Parliament should come to what he thought a better opinion, and regard this scheme as disadvantageous, both for Canada and the mother country, he should think the present settlement open to revision, if at any time such a course should seem advisable.

Bill brought in and read a first time.

REGISTRATION OF VOTERS.] Sir *J. Graham* moved the Order of the Day for the consideration of the Lords' amendments to the Registration of Voters Bill. With reference to the amendment, providing that any person voting without a qualification should be liable to be indicted for a misdemeanor, he could not propose that it should be agreed to by the House, as he was not disposed to recommend the creation of any new misdemeanour with respect to the right of voting. He thought the proposed enactment would be inoperative, and if operative, that it would be injurious. The right hon. Baronet concluded by proposing some alterations in the Lords' amendments.

Sir G. *Grey* thought there could be no objection to the alterations. They were perfectly reasonable and consistent with the right hon. Gentleman's statement in bringing forward the bill.

The amendments to the Lords' amendments were agreed to, and ordered to be communicated to the Lords.

ARMS (IRELAND) BILL.] Lord *Eliot* said, in proposing the second reading of the Arms (Ireland) Bill, he thought it necessary to explain to the House the circumstances under which it was now brought forward. The scope of the measure was to amend, to consolidate, and to continue laws which were now in existence, but which were about to cease. The possession of arms, and the importation of arms and ammunitions into Ireland, had been regulated by law for a period of nearly fifty years; they had been made the subject of different enactments; that was to say, the same enactments had not applied to the two subjects of the importation of arms and their possession. The first enactment which related to the importation of arms into Ireland was the 33rd Geo. 3rd, c. 2. That was renewed by the 35th Geo. 3rd, c. 24; by the 36th Geo. 3rd, c. 42; by the 39th Geo. 3rd, c. 37; and by the 40th Geo. 3rd, c. 96—all acts of the Irish Parliament. The latter act of the 40th Geo. 3rd, renewed a previous law for the period of 7 years, namely to the year 1807, when it was renewed by the 54th Geo. 3rd, c. 111, which was now, with some modifications, the existing law on the subject of the importation of arms. It was altered to a certain degree by the acts of the 1st and 2nd Geo. 4th, and 1st William 4th, and he might, perhaps, with more precision, say, that it was now the act 1st Will. 4th, c. 44, which regulated the importation of arms into Ireland. The registration of arms in that country had been the subject of the following acts:—36th Geo. 3rd, c. 26th: 38th Geo. 3rd, c. 82; 40 Geo. 3rd, c. 96; which was the last act of the Irish Parliament, renewing it for a term of seven years, when the 47th Geo. 3rd. c. 54, was passed, which, with some modifications, had been renewed from time to time, and was now the law of the land. He did not think it necessary to go into the details of the particular provisions of these various enactments. Before alluding to the circumstances under which the 47th Geo. 3rd was passed, he ought to mention that her Majesty's late Government, in the year 1838, brought in a bill which bore the names of his noble Predecessor, Lord Morpeth, and of the noble Lord, the Member for the city of London, which had precisely the same object in view as the bill of which he had now the honour to propose the second reading—to amend, consolidate, and continue, the laws relating to the importation of arms, and their registration in Ireland. The 47th Geo. 3rd, was introduced into that House by the Duke of Wellington, then Sir Arthur Wellesley, who was at the time Chief Secretary to the Lord-lieutenant of Ireland. He stated, in introducing the bill to the notice of the House, that it was a measure prepared by his predecessor, a namesake of his (Lord Eliot's) own, but, as he had no doubt the noble Lord was well aware, a very good Whig—Mr. Elliott. He freely confessed, that the grounds on which that bill was recommended to the adoption of the House depended on a very different state of things from that which now existed. A great authority, Mr. Grattan, who was very much relied on by both sides of the House, was a supporter of that bill, and founded his support of it on the menacing attitude which France at that time had taken, and the danger of invasion from that country. He willingly admitted that; but he might observe that Sheridan, who objected to the bill, made a somewhat remarkable declaration. It was not in opposing that bill (though he did oppose it), but in a subsequent discussion on the state of Ireland, in which he animadverted on the bill, and in the course of his speech he made use of this remarkable expression:—

> "There is not, perhaps, a man more strongly convinced than I am, that the very existence of the two islands depends on the continuance of their connection."

Mr. Grattan, in supporting the bill, defended the vote he had given, and stated, that the remedies he proposed for Ireland were—a general education for the people, the abolition of tithes, and Catholic emancipation. But Mr. Grattan, while he proposed these three remedies defended the Arms Bill, proposed by the then Chief Secretary for Ireland, which was passed into a law. The provisions of the 47th Geo. 3rd, were in great measure those which had been continued from time to time ever since, and which were embodied in the bill of which he had now to propose the second reading. He had already observed, that the noble Lord, the Member for the city of London, and his noble Predecessor, Lord Morpeth, thought it expedient to propose for the adoption of that House a bill to consolidate and continue the laws relating to the registration of arms, and their importation into Ireland. He believed it would be found, on comparing these two bills, that their provisions were in a great measure alike. He was quite willing to admit that this might be said to be an *argumentum ad hominem,* which could only be conclusive against those who formed the late Government, and against the hon. Gentlemen who supported them; and he was bound to show to the House that the necessity for continuing these acts still subsisted. Now, he did hope and believe, that no party spirit would so far blind Gentlemen as to induce them to take a different course on the present occasion, from that which they had taken when the bill was brought forward by the Ministers whom they supported. Unless they could show that the circumstances of the country were entirely different, he appealed with confidence to them for their support of the measure which her Majesty's Government had now brought forward. He fully admitted that the law he proposed was a restriction on the liberty of the subject. He wished not to conceal his honest opinion on that point; but at the same time he thought the extent of this had been somewhat overstated; because he found the great authorities on those subjects had always distinctly laid it down that the right to carry arms was only for the purpose of self-defence, and that where the state of society was such that justice was to be attained by persons aggrieved, any reasonable restraints might be laid by positive laws on the right to carry arms. There was another circumstance to be noted with respect to the restriction he sought to impose on the carrying of arms in Ireland, which was, that from the time of William 3rd, to the year 1783, no man professing the Roman Catholic religion was entitled to carry arms. In 1783, the restriction was to a certain degree relaxed, and men possessed of a certain amount of property were allowed to bear arms. Thus the common-law right of carrying arms, which every subject possessed, has long been limited in a very great degree in Ireland; and he believed it would be found there were very considerable doubts at the present moment whether a Roman Catholic who did not possess a certain amount of property had, even by the Emancipation Act, been placed on the same footing as the Protestant. He had said, that some misconception existed as to the character and objects of this measure. Perhaps the House would permit him, in the first place, to quote the authority of a gentleman who, he was sure, possessed the confidence of the noble Lord opposite, and those Gentlemen who acted with him—he spoke of Colonel M'Gregor, the head of the constabulary, a gentleman appointed by the late Government, an officer of the highest character, and well known to many Members of that House as a man entirely unbiassed by his political opinions, whatever these might be. Colonel M'Gregor wrote thus:

"I have forwarded to the Irish Office, according to your wish, numerous constabulary reports connected with the illegal possession of arms; and I may embrace this opportunity of expressing my conviction that an amendment of the present Arms Act is imperatively called for. There can be no question, from the information I have received, that vast numbers of unregistered arms are in the hands of the people, and are frequently applied as the reports of crime will show, to the worst purposes. Few of the parties engaged in house attacks, or in visiting houses by night either for objects of revenge or intimidation, go unarmed; and I conceive that the possession of arms by all such tends, in many instances, to stimulate them to outrages of a character which they might not venture to perpetrate were they not thereby inspired with additional confidence. Though it be highly creditable to the Irish peasantry, that amidst their extreme poverty and destitution they rarely are guilty of robbery in its usual form; yet, such is their vehement desire for the possession of fire-arms, that there is no risk to which they will not expose themselves for the sake of obtaining them. Hence the frequent robberies and demands of arms, and the violent struggles and assaults that are the consequences. Besides, it is supposed, and I fear with reason, that some of the most murderous deeds are carried into effect by means of registered arms that have been lent from fear or favour, or even more questionable motives. Yet, the present enactment makes no provision for identifying such arms. A man, indeed, may be detected with an unregistered gun, and be made to suffer the penalty due to such an offence; but, unless the arms be branded, it seems impossible to trace them to their owners, and thereby discover whether they have been either improperly lent or stolen. Under the present act a constable may meet the greatest ruffian in his county with a gun in his hand, which he is morally certain is not registered, at least in his own name, yet he has no power to detain him, nor to summon him with a reasonable prospect of procuring a conviction. Searches, too, for arms are rendered comparatively so ineffectual by the circuitous, and, in some parts of the country, the almost impracticable process required by the act, that the chief advantage of undertaking them seems to consist in the expectation that the arms in the district so visited will be secreted, for some time, in bogs and similar places of concealment, where they will become unserviceable. Without entering, however, into the details of the proposed bill, which I have seen, I may confidently express an opinion, in which I am persuaded the resident magistrates generally, as well as the officers of the force, will concur, that unless greater difficulties be opposed to persons of bad character manufacturing, vending, or otherwise disposing of or obtaining arms; and greater facilities be prevented for tracing the ownership of all arms, it will be quite impossible for the constabulary, with their utmost exertions, effectually to prevent, or even materially to diminish, the evils arising from the unlawful multiplication of arms in the country."

He should not trouble the House with more than one other extract of this description. It was from Colonel Millar, the officer who was second in command of the force to which he had alluded. It was as follows:—

"For more than fifteen years it has been my almost daily duty to read and class the special reports of crime forwarded from the interior for the information of Government; and although during a large portion of that period I had to deal with such cases merely as occurred in the province of Munster, including of course the county of Tipperary, yet for the last seven years, that is, since a central constabulary office has been established in Dublin, the reports of all serious outrages throughout Ireland have generally passed through my hands. In furnishing these reports, it is the duty of the district officer to ascertain and set forth in his statement of each case, in addition to other particulars, the supposed motive which induced the perpetration of the offence; so that the perusal of such details for a term of years, while calculated to afford to any attentive reader much insight into the character, temper, and habits of the rural population of the country, could not fail, at the same time, to enable him to form tolerably just notions as to the mode in which, and the means whereby, the outrages which afflict the country are effected; and as to the motives which may have led to their perpetration. The police reports bear upon a variety of subjects, for, besides the numerous cases of agrarian outrages, such as homicides, robbing for arms, attacking and burning houses, maiming of cattle, and other acts of malicious injury, the public peace is frequently disturbed by illegal combinations to resist legal process, to regulate the wages of labour, to assert right of turbary or commonage, or to seize and carry off seaweed, &c. In all such cases, illegal combination is readily formed, and, when necessary, arms are sure to be forthcoming. There is, I regret to say, an unhappy propensity among the Irish peasantry to effect their ends, whatever those ends may be, by intimidation and violence; and even in cases of real injury occurring among themselves, where a legal remedy might doubtless be obtained, our police reports show that they are often prone to redress such wrongs by some cruel acts of retaliation, rather than proceed by course of law. To this spirit, and to the sinister means employed to inflame it, may be referred all the formidable combinations which have at different times endangered the public peace in Ireland. Of late years, we have seen vast numbers illegally banded together to resist the payment of tithes and church-rates, when much bloodshed ensued; more recently, the levying of the poor-rate has been forcibly resisted, and lives have been lost in the conflict; and we have just had very menacing movements in certain counties for the declared purpose of curtailing the dues of the Roman Catholic clergy. In the districts of Ireland where the agrarian and other disorders are most prevalent, the progress of disturbance is marked invariably by the same characteristics. The system of intimidation is traced by the pillaging of arms, the posting of threatening notices, and the firing of shots, the administering of unlawful oaths, to compel the reluctant to enter into the combination, the firing into dwellings, &c. Hence the thirst for the possession of arms, which is a ruling passion among so many of the peasantry. Each locality, probably, has a few desperate characters, who, when occasion requires, seek to exert an influence over the rest of the population by a system of terror. These men, it may be presumed, have concealed arms to be produced when necessary; but as unlawful combination extends, a larger supply being required, the timid farmer who may have registered arms is coerced to lend them; and the householders, who are not to be so intimidated, must lay their account with having their habitations attacked and ransacked solely for the sake of their arms. I have long felt, and often represented to Government, the evils which this thirst for arms brings upon not merely the better and middle classes of society, but especially on the rural population of Ireland. It leads to rapine and murder, and I believe myself warranted in stating, that almost all the experienced stipendiary magistrates and officers of constabulary concur in thinking—apart from all merely political considerations, and looking only to what is of daily occurrence—that the existing statutory enactments are inadequate, and that more efficient legislative provisions to regulate the possession of arms are urgently required; and, as a means of preventing the lending of registered arms, of tracing and recovering arms which have been stolen, and of detecting the unlicensed holder of arms, the proposed system of branding them seems to me the only efficacious regulation which can be adopted. In furnishing this hasty report at your Lordship's desire, I trust I shall not be supposed to have formed a harsh estimate of the Irish peasantry. The course of my duties has made me familiar with all parts of Ireland, and no one can regard more highly the many admirable qualities which the rural population of the country possess—their cheerful endurance of privation and toil, their joyous gaiety of heart, and their kindliness of disposition; and no one can more sincerely deplore the errors and failings by which many of them are disgraced."

These were the opinions of men who were well acquainted with the state of the rural population of Ireland, and with the nature of those atrocities which were often committed. He was unwilling to trouble the House with many returns, but, perhaps, he might be permitted to quote a short extract from the police reports, as a sort of sample of the crimes committed in Ireland, and of which Gentlemen who are unconnected with that country could not form an idea. The following was the extract:—

"Limerick, June 24, 1842.—A party of ten men, well armed, entered the house of Mr. Lindsay, and took a musket and gun, threatening to shoot one of the inmates if the fire-arms were not given up. Banshe, Tipperary, July 22, 1842.—A party of seven armed men entered the house of Mr. Holmes, severely assaulted the inmates, and carried off five fire-arms. Rathkeale, Limerick, November 28, 1842.—A party armed with pistols, entered the house of the Rev. Mr. Coughlan, threatened to shoot him, and carried off a pistol. The same party went on to two other houses, and took away from each two muskets. Rathkeale, Limerick, December 7, 1842.—A party of twenty, of whom eighteen were armed, some with guns and others with pistols, entered the house of Gerald Conners, beat some of the inmates, and carried off a blunderbuss and a case of pistols. Newport, Tipperary, March 17, 1843.—A party of six men, four armed with pistols, entered the house of Samuel Young, assaulted the inmates, and carried off a gun. Ballinamore, Leitrim, April 22, 1843.—An armed party, thirty or forty in number, broke into six dwelling-houses, succeeded in obtaining four guns, and maltreated some of those in whose houses they were unable to find arms. Kilbeggan, County of Westmeath, May 16, 1843.—A party of six men, four of whom were armed with pistols, entered the house of David Carey, and carried off a gun and a pistol. Strokestown, Roscommon, May 24, 1843.—A party of four men, two being armed with pistols, entered the house of Martin Grady, and carried off two guns and two pistols. Carrick-on-Shannon, Leitrim, January 17, 1843.—In a search for unregistered arms, there were seized five guns, one sword, &c. 'They were concealed in most difficult places; it almost amounts to an impossibility to discover where they are hid.' Sligo, March 11, 1842.—In a search for unregistered arms made by magistrates in three parties, each aided by twenty police, there were seized nine guns, two pistols, and two swords. Kilaloe, county of Clare.—An armed party fired three shots (slugs and bullets) into the house of P. Mulqueeny, and posted a threatening notice on his door. Dunleer, county of Louth.—A party of forty, some being armed, entered Patrick Marron's house, and threatened that they would return and shoot him if he proceeded with an ejectment against a tenant of his, T. Leonard. Roscommon, May 10th, 1843.—A party of fifteen men, of whom six were armed, one with a pistol, and five with guns, assaulted John Leonard, threatened to shoot him, and administered an oath to him to leave his place the following morning."

He thought that extract showed the nature of the outrages committed in Ireland, the desire for arms felt by his peasantry, and the various modes in which arms were obtained by them. He had also a return of the seizure of arms—of which the number was considerable. He had also a return of the number of murders in Ireland committed by means of fire-arms, beginning with that of Lord Norbury, on the 1st of January, 1839. That noble Lord was walking with his steward past a plantation that skirted the road from Kilbeggan to Tullamore, in the King's County, when he was shot from behind a hedge, and died two days after from the effects of the wound. He mentioned these facts because probably it might be said, that if they took away fire-arms they could not put an end to assassination, but murders were more easily committed by fire-arms, and more difficult of detection as to the offenders, than if they were committed in any other manner. But to proceed with the return of persons murdered:—

"Borriskane, Tipperary, May 19th, 1841.—Mr. Hall, a gentleman, upwards of seventy years old, was shot dead on his own land at noon-day. King's County, April 17th, 1842.—Mr. Roberts was returning from Cloughjordan, where he had been attending divine service, when he was shot dead from behind a hedge. County Tipperary, November 26th, 1842.—Mr. Scully was returning from duck-shooting, when he was waylaid and shot dead. Tipperary, November 30th, 1842.—Michael Hanly was shot dead at his own door by a man, who called on pretence of asking the way to a neighbouring place. Clonbullock, King's County, May 5th, 1843.—Mr. Gatchell was driving in his gig near Clonbullock, when he was shot dead from behind a hedge."

These were instances which, in his mind, showed conclusively that the interposition of new obstacles to the possession of fire-arms in Ireland was absolutely required for the protection of life and property. The hon. Member for Montrose had questioned the accuracy of some statements he had made with respect to the number of homicides committed in Ireland, compared with the number committed in England. It was difficult to institute a comparison, because no return was published in England of offences which were not brought to justice, although there was a return of committals and conviction. There was no force in England, as there was in Ireland, called upon, as part of its duty, to make a return of the number of outrages and murders which might come within its knowledge. It was satisfactory to observe, that the number of murders was rather inclined to decrease than otherwise. In 1838 the number reported as having been committed was 247; in 1839, 190; in 1840, 125; in 1841, 105; in 1842, 106. It was to be observed, that several offences were frequently committed by the same party; but he found that the returns gave the following numbers, under the heads of shooting, stabbing, with intent to kill, assault with intent to murder, conspiracy to murder, robbery of arms, administering unlawful oaths, &c. In 1838, 1,600; in 1839, 1,500; in 1840, 1,120; in 1841, 1,300; in 1842, 1,300; showing a considerable decrease between 1838 and 1842, although leaving a sufficiently frightful amount of crime, arising, in his belief, in a great measure out of the possession of arms. There had also been laid on the Table of the House a comparative statement of committals and convictions for murder in England and Wales, and in Ireland. In 1838 the number of committals in England and Wales had been 75, in 25 of which the criminals were convicted; in Ireland in the same year, 169 were committed, and 8 convicted; in 1839, the committals were 46 in England, and 286 in Ireland, with 13 convictions in England, and 32 in Ireland; in 1840, 54 committals and 18 convictions in England, 125 committals and 15 convictions in Ireland; in 1841, 66 committals and 20 convictions in England, 120 committals and 18 convictions in Ireland; in 1842, 67 committals and 16 convictions in England, 159 committals and 11 convictions in Ireland. The number of acquittals in England and Wales was 23 per cent.; in Ireland, 53 per cent. He might assume that he had proved from these tables, that a very considerable number of the crimes committed in Ireland were the consequence of the possession of fire-arms. There was a note appended to one of these statements from the officers of the constabulary, in which they said:—

> "The cases enumerated in the foregoing table (cases of demands or robberies of arms, appearing armed, firing at the person, and firing into dwellings) convey a very inadequate view of the extent to which the possession of arms by improper persons in Ireland is carried. The rule observed in the Constabulary-office in characterizing crime is to record each outrage as one offence, without reference to the several incidents of the case. If an armed party forcibly enter into a house, and beat the inmates, or swear them to do, or not to do, some particular act, the offence would, according to our usage, be characterized either as a 'house attack,' or as 'unlawfully administering an oath,'—the fact of the party being in arms is not put upon the record. The cases returned under the heading of 'appearing armed,' are cases in which armed men have been seen, or have visited houses without effecting an entrance, or have discharged shots withou 'firing into the dwelling.'"

He thought he need not do more on that occasion. He had said enough, as he conceived, to satisfy the House of the necessity of re-enacting measures relative to the possession of arms in Ireland—measures which had been recognized and supported for a period of fifty years by successive Governments of different political opinions and by Parliament. And further than that, he should be prepared when the proper time came, to compare the clauses of the bill now proposed by the Government with the clauses of the bill of the noble Lord opposite. He would, however, just advert to some of the principal provisions in the present bill as compared with those of the existing law. He believed he had already said, that very considerable doubts had been entertained as ro whether Roman Catholics who were not possessed of a certain amount of property had a right to bear arms in Ireland—whether the magistrates had a legal right to grant such persons a licence. He understood that the hon. and learned Member for Cork, for whose legal opinions he had every respect, considered that the acs for Catholic emancipation had removed that disability, and that now there was no longer a reason why Roman Catholics possessed of property should be deprived of carrying arms: but, on the other hand, he had seen an opinion of Mr. Justice Crampton, that the disability still existed. In the affidavit of the party applying for a licence, ha said that he was qualified by law, and he (Lord Eliot) could not therefore understand how it could be otherwise construed than that the disability still existed. It was proposed, therefore, to remove that disability altogether; the affidavit was no longer to be made; a man would only be required to produce the certificate of two householders that he was a proper person to be entrusted with arms; and there was a clause in that bill which stated, that Roman Catholics should be placed on the same footing in this respect as members of the Established Protestant Church. The only remaining clause of importance, to which it was necessary for him to call the attention of the House, was the "branding" clause. The Government had been assured by the officers of constabulary, and by the stipendiary magistrates throughout the country, that it was impossible to place a restriction upon the possession of arms so long as there was a want of means of identifying them. Now, such articles as watches or plate, might be traced because they were numbered, or had arms or names engraved on them, but, at present, it was impracticable to trace arms, for the want of some distinctive marks. There was also another defect in the law. In its present state an individual, not being licensed to carry arms, might have the arms of some licensed person in his possession; and if a constable, who knew the person having the gun in his possession to be a suspicious character, met him, that constable had no power to detain or even to summon him for the purpose of ascertainining how he became possessed of the weapon. Now, by the present bill, it was proposed to make it a punishable offence for a man to bear arms without being himself licensed, or to possess arms, unless they were properly registered and branded. The only means which could be devised of ascertaining whether the arms were or not properly registered, was to insist upon their bearing some peculiar distinguishing mark. In this provision there was to be no distinction made between the arms of the rich and the poor—all guns whatsoever, whether for the purpose of sporting or not, were to be subject to the same process of branding. Now, he thought when hon. Members considered this part of the subject calmly and dispassionately, if they were satisfied that the circumstances of the country required that some restriction should be placed upon the possession of arms, they would not object to the provision being made general, without which it could not be effectual. He had understood—and had seen some remarks upon the subject in the newspapers—that great exception had been taken to that part of the bill which provided a punishment for the possession—not of fire arms, for the possession of unlicensed fire arms merely subjected the offender to a fine; but for the possession of unlawful weapons, such as pikes, daggers, spear heads, or instruments which could only be used for an unlawful purpose. Under the existing law, a party having such things in his possession, was subject for the first offence to an imprisonment for twelve months, and for the second offence the punishment was transportation, without giving the court the discretionary power of remitting it. Now it was proposed, that the punishment, subject to the judgment and discretion of the court, should be transportation or imprisonment. It had been objected to this provision, that malicious persons might conceal arms in the premises of those to whom they wished to do an injury, and then give information, by which means an innocent person might undergo an unjust punishment. But it should be recollected, that that also was the case at present in regard to the stolen goods. One man might conceal stolen property in the house of another, and then inform against him. Words, however, had been introduced into the present bill, which were not to be found in the law as it stood, and which provided, that if it could be shown to the court, that the weapon was in the possession of the accused person for some lawful purpose, or without his knowledge, privity, or consent, he should not be liable to punishment. As the law stood at present, the court had no discretion, and the party for the second offence was ordered to be transported; whereas, in the bill it was proposed to give the court a discretionary power to sentence him to imprisonment or transportation. By the 47th George 3rd it was provided, that one magistrate might himself institute a search for unregistered or unlawful arms, or might delegate to another his power of search. That right, however, was restricted by the 50th George 3rd, which required that the authority to search should be signed by two magistrates, or that the justices themselves, upon the information on oath, should make the search. The police of Ireland, however, had informed the Government, that the greatest difficulty and inconvenience arose from this state of the law. It had been found, that when information was given of arms being concealed in a particular spot, it was not difficult to obtain the signature of one magistrate; but in many parts of Ireland, when the magistrates resided at considerable distances from each other, it was found impossible to procure the signatures of two, in time to prevent the removal of the arms. It was proposed, therefore, to give one magistrate the power of granting, upon sworn information, a warrant for search; such warrant, however, to be intrusted to members of the constabulary force to be therein nominated. There was another point connected with this branch of the subject to which he wished to draw the attention of the House. The present law gave to the Lord-lieutenant the right, upon information from two justices that arms were concealed, to grant a warrant for searching a district; and it was a matter of doubt whether or not a magistrate, should be present at each house whilst undergoing a search. It was obviously impossible in a large district that that could be done, and it was therefore proposed to give to the Lord-lieutenant, upon information from two justices of the peace, power to issue his warrant to certain members of the constabulary force, of sufficient rank to make them responsible for the proper execution of the warrant—that was to say, that such members of the constabulary force should not hold a lower rank than that of a sub-inspector, which was a rank equal to that of an officer in her Majesty's service. There were some alterations in the law with respect to the importation of gunpowder. According to the present law, the restrictions in force relative to gunpowder did not extend to retail dealers; and it was clear, that more danger was to be apprehended of the powder falling into the hands of improper persons through the retail dealers, than through the wholesale merchants and manufacturers of the article. It was therefore proposed, that the same restrictions be now laid upon the retail dealers as upon the merchants and manufacturers. By the present law it was provided, that no person should purchase more than 2 lbs. of gunpowder at one time; but there was nothing to prevent the law being evaded by the party buying whatever quantity of gunpowder he chose at short intervals or from different persons. It was therefore proposed, by the present bill, that any licensed person might purchase any quantity of powder he pleased, but that the dealer should be subject to a penalty if he sold the article to any but a licensed person. A great many restrictions in force by the present law upon the removal of arms had been taken off. At present he believed it was almost impossible to comply strictly with the law, and that a gentleman sending a gun from Dublin to another part of the country, would be liable to a penalty. It would be found, he believed, that the regulations which it was proposed to substitute were less vexatious than those which at present existed. The imprisonment for non-payment of fine was moderate under the existing law—from one to four months; but it was proposed to reduce it in every case to a term extending from one to three months. The House had a right to be satisfied that the provisions of the bill were necessary, but he wished to impress upon the minds of hon. Members, that they were not now called upon to express an opinion upon the clauses of the bill, but that their vote of that night amounted to this—that the possession of arms, and the importation of arms into Ireland, ought not to be without restriction. He must also remind the House, that the laws upon the subject were about to expire. If any hon. Members entertained objections to any particular clause or clauses of the bill, they might propound them at the fitting period; but he thought that the House would incur a heavy responsibility, if, after the statements he had made, not upon his own authority, but upon the authority of persons whose opinions were of greater weight with that House, and whose qualifications for judging were better than his own, they took upon themselves to allow the possession of arms in Ireland to be altogether unrestricted. For his own part, he should not shrink from the responsibility of proposing a measure, which in his conscience he believed to be necessary for the maintenance of law and order in Ireland.

Mr. *Sharman Crawford* said, that in rising to oppose the second reading of the bill he was bound to award his testimony to the moderate tone and temper in which it had been moved by the noble Lord. He trusted, however, he should be able to show that the measure was not called for by the circumstances of the case, and that it was one which ought not to pass. Considering the bill as one of great importance, he still viewed it, not as an insulated measure, but as part of a system by which Ireland had been governed—and he feared but ill governed—for a long period of years. He objected, then, to the bill upon principle, for he objected to the system by which Ireland had been governed, and on those grounds he opposed the measure. The question, he considered, that was raised upon the present bill was, whether Ireland was to be governed by means of justice and good legislation, or whether that country was to be kept under coercion and force, or if force was to be applied to put Ireland in that position in which she ought to be placed by good and just laws. It might be objected against him, as opposing the bill, that he did not represent an Irish constituency, but he did not conceive that that circumstance could militate against his taking an interest in the country to which he particularly belonged. Moreover, he considered that any attempt to violate the rights of Ireland was an inroad upon the rights of England, and that England never could be great if Ireland were enslaved. There were, it was true, innumerable precedents for arbitrary acts. Measures worse than this had been passed, but with reference to particular districts, and he considered one of the clauses of this bill to be most extraordinary. The first clause provided that any person desirous of obtaining a licence for arms must obtain and produce to the justices a certificate from two householders, rated at 20*l.* or upwards. Now, he had never before heard of such a provision as that. What would be the consequence? That in a district which, for the sake of distinction, he would call an Orange district, where the Roman Catholics were of the poorer classes, and few in number, they would not be able to command the required certificates; to them the Orange party would refuse the certificates, while they would grant them to the lowest of their own class. He was anxious for Protestant security to be founded on measures of justice and equity, but he would not attempt to maintain it by such measures as that now proposed. The attendances rendered necessary by the eighth, or branding clause, were most vexatious. The seventeenth clause also was vexatious, enacting that if a person licensed to bear arms died, no penalty should be incurred for fourteen days by those who retained the arms of the deceased, but that, within that time, the arms must be sold, or deposited with the police, unless the license be assigned within the prescribed period, to some inmate of the dwelling of the deceased person. So that, however a man might be distressed or encumbered with debts, he must be put to an expense for this purpose. The penalty for having unlicensed arms was, for the first offence, 10*l.*, and for the second, 20*l.* There was a most oppressive provision in the 48th clause, by which a justice was empowered to imprison a man for the space of seven days, until the return to the warrant of distress upon the offenders' chattels for the penalty could be made. But there was another provision in the bill. Justices or police officers might enter by force into the house of a man even at night to make search for arms; and if any person above the age of sixteen years should, upon being interrogated by the person authorised to make such search, deny that any arms, weapons, bullets, or ammunition were upon the premises, and afterwards such matters should be found therein, that person should be liable to a penalty of 20*l.* It was true, that there was a provision that a person should not be liable to the penalties unless he had a guilty knowledge; but how was the guilty knowledge to be ascertained? Then, by the 14th clause, a person carrying arms might be called upon by a constable to deliver them up; he was then called upon to show that he had a licence, so that a person must always carry his licence in his pocket, he must then give his name and place of abode, and if the constable chooses to consider the description untrue, he could take the person and keep him in custody for twenty-four hours before he took him before a magistrate. The magistrate might then demand security for his appearance at the petty sessions, and if the prisoner failed in obtaining such security he might be committed to gaol. The hon. Member proceeded to comment upon various clauses of the bill, but in so low a tone that we are unable to give the purport of his observations accurately. He then proceeded to say that the noble Lord had attributed the present state of Ireland to the possession of arms by the people. If the noble Lord thought that, he took but a superficial view of the state of the people. The noble Lord had spoken of the desire of the people for arms. But what was the cause of that desire? He would request the noble Lord to look at all the circumstances, and not to forget the seat and cause of the disease while he dealt with the symptoms. He did not deny that there had been disgraceful and distressing scenes in Ireland; nor did he deny that means should be taken to prevent the recurrence of them. But he did deny that the mode of preventing them was by such measures as the Arms Bill. They must look to the condition of the people, and the means of improving it. A great cause of the agrarian offences in Ireland arose from circumstances connected with the possession of land, and as was seen by the reports on the Table of the House, from the relationship between landlord and tenant. That was little understood in this country by the country gentleman, It was the system of oppression by Irish landlords which caused the disposition among the people to agrarian outrages. They could get no justice from the law, and they were compelled to make a law for themselves; and they said, we must protect ourselves or starve. The way to remedy the existing evils was by improving the condition of the people. The Arms Bill would not prevent the proceedings which had taken place. There was no employment for the labouring man, and he must keep his land or starve. The hon. Member proceeded to point out several alterations which he considered ought to be made in the tenure of land and the relationship between landlord and tenant, some of which had been recommended by Mr. Lynch. Many suggestions, the hon. Member proceeded to observe, had been made for the improvement of Ireland, but nothing had been done, except by such bills as this, which in his opinion would not have the effect which was anticipated by its promoters to arise from it. Another excuse for the present measure would be the existing repeal agitation; but he begged to ask whether the conduct of Parliament had not caused that agitation? In 1834 the House had voted an Address to the Crown on the then prevailing repeal agitation, and expressing its determination to apply its best attention to the removal of all grievances and just causes of complaint. What had been done since? Had the House removed any of the grievances or just causes of complaint? Certainly not. What was the first great grievance of the Irish people? The law-church, the church as by law established, contrary to the wishes and faith of the vast majority. Some measures indeed had been proposed, but they had been rejected by the House of Lords; and although the burthen for the support of the law-church had been apparently thrown upon the landlord, the tenant knew well that sooner or later it came out of his pocket. In fact the whole cost of a church for one-tenth of the population was thrown upon the whole body of the nation. What just grievance then had been redressed? It might be said that a Poor-law had been passed for Ireland; but what sort of a Poor-law was it? It was a Poor-law that gave satisfaction to no class of the community; it was a Poor-law that pretended to relieve, and gave no relief—that instead of providing for the necessitous, shut up a portion of the people in prison houses. Upon what a Poor-law ought to be, he referred the House to a speech of the right hon. Secretary for the Home Department, and then inquired whether the Irish Poor-law answered that description? The Irish Poor-law provided no means for employing the poor, a point that had been entirely neglected, although it had been so strongly recommended by the Poor-law Commissioners. Thus, in fact, Ireland had been mocked by the pretence of a law for the relief of the poor. In consequence of the Address to the Crown in 1834, promising redress of grievances, repeal agitation had been discontinued in Ireland for six years; recently it had been revived, and now the reply to the claim was the production of an Arms Bill. Such was the treatment Ireland had received in consequence of the agitation which the House itself, by its bad legislation, had excited. The Arms Bill was to be imposed upon the whole of Ireland for the delinquency, or supposed delinquency, of four or five counties. Was it fit that Ireland should be so visited? What would have been said in England if an Arms Bill had been proposed in consequence of the Manchester riots? Ministers would not have dared to introduce it: England would not have submitted to it. Why, then, was Ireland to be legislated for on different principles? This was the circumstance that justified the call for repeal. No man was more desirous than he was to maintain the British connection—no man valued it more highly; but it might be purchased at too dear a rate if slavery were to be the price of it. True it was, that there was a kind of saving clause in the bill upon the Table, by which Roman Catholics were to be made to believe that they were to be put on a par with their Protestant brethren; but that was a mere delusion, and the Roman Catholics would instantly discover that it was meant to deceive them. It seemed strange that the gentry of Ireland were willing to degrade themselves by submitting to this law. Was it no degradation to the magistracy that such a bill should be imposed upon them? Magistrates, sheriffs, and the gentry at large were told that they were not fit to have arms in their possession. Would they submit to the degradation of being thus branded for the sake of enslaving their fellow-countrymen? As to the assertion that former governments had resorted to this measure, that fact made no difference in his estimate of it. When it was formerly before the House he had given it his most strenuous opposition, and he was therefore perfectly free to resist it to the utmost on the present occasion. The true mode of governing Ireland was to reduce her to submission by kindness and impartiality, by passing good laws, and by assimilating her situation to that of England. According to the present mode of legislating the connection between England and Ireland might indeed be maintained; but it would only be maintained by force, by binding Ireland to England with hoops of steel, while she would eat into the vitals of her more powerful neighbour, and require an enormous annual outlay of the revenues of the State. Ireland would continue in a state of discontent which nothing could repress but military domination. He moved that the bill be read a second time on this day six months.

Lord *Clements* cordially seconded the amendment; and had to express his regret that his hon. Friend had not proposed an amendment in stronger terms; for had it been that the Serjeant-at-Arms be directed to kick the bill out of the door, he would have gladly supported the proposition. Thanks were certainly due to the noble Lord the Secretary for Ireland, for the gentle and yet straightforward manner in which he had introduced the monster into the House; but now he was here it was fit to meet it and grapple with it in a mode becoming its strength and hideousness. Former arms bills had not been brought forward under similar circumstances; they had been reserved to a late period of the session, and generally consisted of a comparatively few lines, and were thus smuggled through the House. If, on the present occasion, the opponents of the bill should not be able to throw it out, at least they would have an opportunity of considering its details, and of ascertaining the precise nature of the intended law. At the same time it was to be regretted that the noble Lord had not given the House more information as to the necessity for such a monstrous infringement on the rights and liberties of the Irish. All the noble Lord had in fact done, was to direct the attention of Members to the small piece of paper that had this morning been distributed. [A return of outrages reported to the constabulary office]. He regretted also to see the name of the noble Lord at the back of such a bill. How much better would it have appeared on the back of some measure which had for its object the real and practical amelioration of the condition of Ireland. Why had the noble Lord not introduced a bill to regulate tolls and customs in Ireland, regarding which and their legality, contentions arose in almost every fair and market in Ireland? It was most melancholy to behold a Government recommending a Coercion Bill, and neglecting its duty by refraining from producing a measure to regulate tolls and customs in Ireland. Then again, why was not some enactment proposed to amend the grand jury laws in Ireland, under which the public money was jobbed and scandalously misapplied. The Government must be aware of the abuse, and why had it not proposed a remedy? A registration bill had also been promised to Ireland, but what had become of it, and of the Petty Sessions Act, which it was known had been prepared many years ago? The Charitable Loan Fund Act too required important amendments, but none of those much needed and useful measures had been introduced to the notice of the House, although, as in the former instance, measures for the purpose was among the neglected archives of Dublin Castle. Why, too, had the Irish Government done nothing respecting Manor Courts in Ireland? Was it not disgraceful that in the nineteenth century such things as manor courts, so injurious to the interests of the country, should exist in any part of the United Kingdom? Such, however, must ever be the neglect of wholesome legislation for Ireland, as long as matters were left to the assistants in Dublin Castle. It might be noticed as an extraordinary fact, that the House had not yet seen the last census of the population of Ireland; nothing more than an abstract had been as yet laid upon the table, while the census for England had been long before the whole country. In fact, everything relating to the interests of Ireland was postponed, and if an Arms Bill were not introduced at the end of the session, it was brought under consideration during the Epsom week. How, then, was it possible that discontent should not prevail in Ireland? On a former day he had asked the right hon. Baronet (Sir R. Peel) whether he considered the Arms Bill a measure for the amelioration of the condition of Ireland; and what had been the answer?

> "I think that measure is calculated to insure the safety of a large portion of her Majesty's subjects in Ireland; and when I consider the nature and extent of the outrages committed in various parts of that country within the last two years, I do look upon it as a measure calculated to improve the condition of Ireland."

The fact indisputably was, that outrages in Ireland had been for some years considerably on the decrease; and he felt himself quite as secure in Ireland as in England. In England outrages were by no means unfrequent; people had been shot in the very streets of London. Let hon. Members consider what had happened not long ago in Manchester. Only the other day, he had heard of a clergyman having been shot at while retiring to bed in his own House, within a few miles of the metropolis; the late unfortunate Mr. Drummond had been shot within a few yards of this House. It was monstrous to talk of outrages in Ireland as surpassing in flagrancy the outrages in England. Let hon. Gentlemen call to mind the several outrages upon the person of her Majesty. [*"Oh."*] It was well to groan, for the act deserved a groan. What was the enactment passed last year for, the preservation of the person of her Majesty? Was it a measure of the kind now upon the table? Was it required that all the guns and pistols in the country should be branded because some boys or madmen had made attacks upon the life of her Majesty? It seemed as if all the murders and outrages in England were to be put down to the account of madness, while those in Ireland were attributed to the Roman Catholics; but what was the punishment to be inflicted in future upon a person offering an outrage to the Queen? Whipping at the cart's tail. [*"No."*] Was it not so? In certain cases the punishment was transportation, but the principal infliction was only whipping; yet now it appeared as if the life of a squireen of the county of Tipperary was of more consequence than that of her Majesty? If it were not so, why was this bill introduced? The right hon. Baronet had admitted, when he was formerly in office, that Ireland was his difficulty; and, on the 27th of May, 1841, a short time before he again came into office, he had used the following expressions:—

"If her Majesty's ministers do not possess the confidence of the House of Commons, then, I say, that their continuance in office is at variance with the principles and 'spirit of the Constitution.' I do not speak of those theories which refer to some combination of the opposing elements of monarchy, aristocracy, and democracy, each armed with defensive and offensive instruments, by which they keep each other in check. I speak only of that system of Parliamentary government which has prevailed in this country since the accession of the House of Hanover. I speak of that system which implies that the Ministers of the Crown shall have the confidence of the House of Commons. I speak of that system which has prevailed during the period when, according to the expression—the just expression of the noble Lord, whom I now see opposite to me, in his able and dispassionate Essay on the English Constitution—' the centre of gravity of the State has been placed in the House of Commons.' When I use the phrase, ' spirit of the Constitution,' I speak of the system of Government which has maintained the equilibrium between monarchy and democracy—of that system of government which has harmonised those apparently conflicting elements —of that system of government which, by the constant, yet almost unfelt interposition of slight checks, has prevented the necessity of recurring to the use of extreme instruments, in the collision of antagonist powers."*

He looked upon this bill as an extreme instrument, and where, he would inquire, was "the centre of gravity?" The right hon. Baronet must be well aware that the centre of gravity for Ireland was on the Opposition side of the House. If any measures of coercion were passed, it would be against the wishes, feelings, and convictions of the majority of the representatives of Ireland. How could it be expected that Ireland could be happy or peaceable as long as their representatives were so utterly useless in Parliament, that their wishes were disregarded, their warnings not listened to, and their representations treated with contempt. As the right hon. Baronet was a party to this measure, and was in all probability about to speak in support of it, he might remind the right hon. Baronet of what he had said on the subject of coercion when he was out of office. On the 7th February, 1833, in answer to the speech from the Throne, the right hon. Baronet had said, that,

"He had never taunted his Majesty's Ministers for not proposing at an earlier period the measures of coercion which they now demanded. When others said that they ought to have applied for coercive measures, he had been no party to the complaint. His language had always been, try the ordinary laws—there is great evil in coercive measures; you cannot rely on them for any permanent good, but there is great risk that they will relax the energy of the ordinary law, and that they will widen the breach between the richer classes, for whose protection, and the poorer classes, for whose punishment, they appear to be intended." †

He perfectly agreed with these sentiments, and he was convinced that the bill now before the House would widen the breach between the richer and the poor classes. But the right hon. Baronet had not been singular in his opinion, for in 1822, Mr. Charles Grant had spoken of the manner in which the laws might be carried out:—

"I would mention (he said) the case of the

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* Hansard, vol. lviii. Third Series, p. 809.

† Ibid. vol. xv. p. 371.

> county of Longford, which was a few years ago so disturbed, that it was on the eve of being placed under the Peace Preservation Act. At that time my noble Friend (Lord Forbes), one of the Members for the county, desirous to avert this disgrace, as he deemed it, from his county, resolved to make an experiment, whether it was not possible to preserve tranquillity under the present mode of appointing constables. At his request, the application of the Peace Preservation Act was withheld; by his own exertions and influence, with the assistance of his brother magistrates, he formed under the existing laws a baronial police, which has now for five years been in operation, and the result has been the complete tranquillity of the county during the time in question, without any resort to extraordinary means."[*]

In 1832, the noble Lord now Secretary for the Colonies, when Colonel Rochfort presented a petition from the Lord-lieutenant and magistrates of Westmeath, praying for additional powers to the executive, had expressed much the same opinion:—

> "It was (he said) one of the most mischievous courses that could be pursued, for the magistrates, upon every occasion where particular disturbances might exist, instead of looking to the general execution of the laws, and relying firmly upon the authority with which they were invested, to ask Government for the passing of a measure so strong and harsh as that which was meant to be suggested in this petition—the renewal of the Insurrection Act."

And again,

> "When the magistrates and gentry of the county of Clare found that they could not look to the adoption of additional severe laws, and to the being investigated with extraordinary powers, they applied themselves vigilantly to the discharge of their duties, and suppressed the disturbances which had induced them to apply for the proclamation of the Insurrection Act."[†]

The noble Lord had used somewhat similar terms, on the motion of Sir H. Parnell, for a committee on the state of Queen's county. He said that,

> "Unhappily, since he had been connected with the Government of Ireland, the state of that country had given him frequent opportunities of stating his determination, and that of the Government to which he belonged, to adhere, so long as it was at all likely to prove effective, to the ordinary administration of the law, and to repel that extraordinary application of the powers of Government, which, however it might put down an evil at the moment, was calculated ultimately to increase that evil tenfold, and which put down a weed, to raise a stronger and more noxious produce from its root."[*]

He had little doubt that, where magistrates acted with energy and determination, putting in force the existing laws, they would be found sufficient for the emergency. He had never heard of a people more easily managed than his fellow-countrymen: he lived in a district where there were very few country gentlemen; where many of the people suffered extreme poverty, and where considerable excitement prevailed from the cruel and injudicious system of extermination which had unfortunately prevailed. Upon Lord Roden's Committee in 1839, Mr. Howley had given the following evidence:—

> "The mode in which arms were registered at first when I went to the county was, that any person wishing to get arms registered went to the office of the clerk of the peace, and it was, I understood, a matter of course that he should receive his license or certificate to keep arms. It struck me that such a practice led necessarily to this result, that arms got into the hands of a large number of improper persons, who, either from character or from their condition in life, or from the means, or the want of means rather, they had of safely keeping arms, were not persons to whom arms ought to be intrusted; and I recollect proving the necessity of a strict scrutiny with respect to arms, by keeping upon one occasion a number of applications during a sessions, which were made to me as chairman, for the registration of arms. I had all the persons called upon the table, we had a personal inspection of them. To judge of their appearance, certainly the appearance of some did not indicate that they were such persons as would be wisely intrusted with arms. Secondly; I examined as to what kind of houses they lived in, whether thatched houses, because I think it an object that the parties having arms should not live in thatched houses. If a house is attacked they can be more easily set fire to; they are more liable to have the arms taken in that way. Then with regard to the mode of keeping arms; frequently if any person had but an open kitchen, a single place where he would leave his gun all day, and he out, he could not be the guardian of his arms. I thought that a ground for refusal, and we refused, upon that ground, such persons as came forward and were liable to the objection. Having gone through the different applications, I refused licenses, I think, to keep arms, to the amount of about thirty stand. I remember one man, a man in rather humble condition of life, applied for three guns and a sword. I examined each applicant as to his fitness and circumstances in open court, to

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[*] Hansard, New Series, vol. vii. p. 866.

[†] Ibid. Third Series, vol. xi. p. 248.

[*] Hansard, vol. xiii. p. 272.

exemplify what I had been stating to the magistrates before, how necessary it was that that branch of the jurisdiction of the court should not be delegated to an irresponsible officer."

He mentioned these facts to show that there was no necessity for a bill so stringent as that before the House, and that a mild and well-considered enactment would answer the purpose a thousand times better. He could inform the House that when he had in some instances made application for the surrender of arms in his neighbourhood, they had at once been given up to him; and he wished to ask hon. Gentlemen opposite whether, if they required the poachers on their preserves to give up their arms, they would comply with such a request. The Earl of Donoughmore, on Lord Roden's Committee on Crime, in 1839, gave this evidence:—

> "Is your Lordship of opinion that there are unregistered arms in the hands of the peasantry of Tipperary?"—"I am convinced of that."
>
> "Have you yourself found a considerable number?"—"I have received reports of a certain number of my tenants who had unregistered arms; I sent for them, and told them that I understood that was the case, and that if they did not send in their arms I would get them punished for having them; and ten out of seventeen stand of arms were brought in in one day."

He would put it to the gentlemen of England whether, if they made a similar requirement, ten out of seventeen poachers in their neighbourhoods would give up their arms? If, then, his countrymen were so easily dealt with—if they were so prompt in complying with such a requisition, why adopt such a gross and oppressive enactment as that now under consideration. They were told that this was the same bill which had existed for years; but it had fallen into such disuse that, though he had acted for many years as a magistrate, he was not aware of many of its provisions. When this bill was brought forward he was led to make some inquiry as to the state of the law relating to arms in Ireland, with much of which he was previously unacquainted. If the noble Lord had laid before the House the information which he ought to have produced on the subject, it would have shown that the existing law had been for many years in a great measure obsolete. By the bill of 1796 all blacksmiths were required to have their forges registered, but he would venture to say that there was not a blacksmith in most of the counties in Ireland at this moment who had his forge registered. If, then, it had not been requisite for many years past to carry such enactments into effect, why revive them now? The original of the present bill was to be found in that of 1796. It was almost unnecessary that he should remind the House of the circumstances existing in 1796—of the state of Europe at that period, and of the degradation which was then awaiting Ireland. Need he remind the House of the corruption which at that time was infused into Ireland from this country? But in 1796 it was not considered necessary to adopt a measure so coercive in its nature as that now before the House. Two acts were adopted in that year; one of them an arms bill, and the other relating to the importation of arms, gunpowder, and ammunition into Ireland, the object of the latter measure being evidently to prevent the introduction into Ireland of arms and ammunition from France. Now, he would put it to the House whether there was any analogy between the state of affairs which existed in 1796 and that which now prevailed in 1843? If they had not at this time any apprehension of the importation of arms and ammunition into Ireland from foreign countries, why revive the odious enactments of these two measures? Even in 1796 the law was thought to be so odious, that it was only passed for one year, and till the end of the following Session. The Importation Act expired with the Union. The Arms Act was first re-enacted after the Union in the year 1807, when it was strongly opposed. Lord Milton opposed it in the strongest terms. He said:—

> "He could not agree, without any inquiry into the state of Ireland, to give his assent to the passing such an arbitrary act as this. At the time of the Union, the Irish were promised a full and fair participation of the rights of Englishmen; at that moment, after a lapse of seven years, they were called upon to pass an act than which nothing could be more arbitrary and oppressive, and which would not be borne with in England but in cases of the most imperious necessity, and after the fullest inquiry."*

And in 1843 he was able to repeat the same words as Lord Milton used in 1807, and to say that it was a disgrace to the Legislature of the United Kingdom that in 1843 they should come again to re-enact these odious laws in even stronger terms than were thought necessary in 1807 or 1796. Mr. Whitbread also opposed the bill. He said:—

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* Hansard, vol. ix. p. 1087.

"This bill differed materially from the other; the other was to operate in a particular part only, and that under peculiar circumstances; but this was to act universally throughout the whole country, and under any circumstances. What was that in effect but stating that, generally speaking, you cannot trust the whole of the population of Ireland, and proclaiming to the enemy, that in that place there is to be found a large portion of his Majesty's subjects who are ready to accept of their arms if they will send them there."*

Sir Arthur Piggott also opposed the bill on that occasion, and he said:—

"Since my Lord Hardwick, the Duke of Bedford had been some time Lord-lieutenant; and there were some partial disturbances in different parts of the country. Applications had been made to his grace to put in force the provisions of this act; but he refused. He proceeded against the culprits in a legal way; and the law was found sufficient to subdue the insurrection, and to punish the offenders. Here the House had the evidence of two lords-lieutenant, that in the course of six or seven years, there was no necessity for such provisions. It must be a necessity made apparent to Parliament, and not allowed to go on in respect to any assertion of any individual, to put the whole people of Ireland out of the law, and authorise these nocturnal domiciliary visits."†

He could say that from 1835 to the present time there had been no necessity for any coercive measure, and there had been no period of such length since 1792 when Ireland was totally without coercive enactments. The bill was in 1807 limited to a duration of two years. It was again brought forward in 1810, but the secretary for Ireland of that day introduced it in the same speech with which he moved the repeal of the Insurrection Act. On that occasion the secretary made use of this remarkable expression. He said:—

"It appeared to him, that this act might be so modified as to remove these objections, and to prevent its trenching upon the liberty of the subject more than the absolute necessity of the case required. He should propose that no magistrate or number of magistrates should have the power to search except upon information on oath, or in a case that they had such ground of suspicion as might make it desirable to search a district for arms; and that in that case, they should send their information to Government, in order that it might determine whether the search should be made or not. If Government should determine that a search ought to be made, then he should propose that a warrant should be sent by the Lord-lieutenant authorising and directing such search. This provision would, in his opinion, be sufficient to guard the subject from any wanton exercise of authority."*

This act made two justices necessary instead of one. It was under this act of 1810 that the magistrates usually acted, and he believed that few were aware that they had now the power to act under the old law of 1807. In 1813, the act was again renewed, and at that time the right hon. Baronet (Sir R. Peel) was Secretary for Ireland, and he

"Moved for leave to bring in a bill to continue the acts of 47 and 50 of his present Majesty, to prevent improper persons from having fire-arms in their custody. The bill he meant to introduce would even go further towards protecting the liberty of the subject than the acts it was intended to revive; as it was meant to enact that no search for fire-arms should take place but in presence of two magistrates. Under those circumstances, he did not expect any opposition but from the right hon. Baronet opposite, and he would reserve his further observations for the future stages of the bill." †

The most extraordinary part of the proceeding was, that the act thus introduced contained only two or three lines renewing the former acts. It was evident, however, that it was the right hon. Baronet's intention to introduce a milder act. He asked him to explain, therefore, why in 1843 he came down to the House and asked for a more coercive power than he asked for in 1813. But the most extraordinary thing was, that this wonderful act, which was said to be so important for the preservation of life and property in Ireland, was allowed to expire in 1815, and was not renewed till 1817, when it was re-enacted for two years, and to the end of the next Session of Parliament. Then again it was allowed to expire in 1819. What ensued? All Ireland were not shot. It was surprising that some great insurrection did not take place! In 1820 the act was revived. In 1822, for the first time since the Union, there was a re-enactment of the act, preventing the importation of arms and ammunition. (But this bill was totally at variance with the old arms' act; and the importation of arms and ammunition act, though it professed to be a consolidation of those two acts, indeed there was no more similarity between this bill and the act of 1807, than between a horse chesnut and a chesnut horse.) It was passed, however,

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[*] Hansard, p. 1089.

[†] Ibid. 1090.

[*] Hansard, vol. vii. p. 204.

[†] Ibid. vol. xxvi. p. 369.

for seven years. In 1823 the Arms' Act was again renewed, as also in 1829; but it was again mitigated by giving a power to the Lord-Lieutenant to mitigate the penalty of 10*l*. How did the act at present work? What were the cases in which the penalties were enforced? Scarcely any. The arms were seized, the fine was imposed, but the magistrates almost universally recommended a memorial to the Lord-lieutenant to remit the penalty. He believed that the magistrates were perfectly satisfied to get the arms without enforcing the penalty. He asked the Government how they could expect the magistrates to go along with them in this bill? The magistrates of Ireland did not want coercive measures though some of them might use those measures, to annoy an individual; but if this bill should pass into a law, they might depend upon it the magistrates of Ireland, as a body, would not act upon it. It would only bring the law into disrepute. The gentlemen of Ireland were getting more and more enlightened every day. [*A laugh.*] That laugh would resound well on the other side of the water, coming from a person connected with Ireland; but perhaps the noble Lord did not think that the Members on his own side of the House were becoming more enlightened. To those who wished for revenge this act would be acceptable; to them it would be a boon, but justice needed it not. If they gave the people of Ireland justice, if they upheld their rights, if they listened to their complaints, if they ameliorated their condition, the Irish would be as peaceable, as well inclined, and as well disposed to industry as any people under the sun; if those things were done he would defy hon. Gentlemen to produce in any part of the world a people better in all respects than the poorest of the Irish. In 1830 the Importation of Arms and Ammunition Bill was renewed for one year. He then came to the year 1831, a period when a bill which it is supposed closely resembled the present, was brought forward by the noble Lord opposite (Lord Stanley) who was then Secretary for Ireland. Ireland had had a variety of secretaries from the opposite benches. Alas! he wished they had learnt their business better. In that year Lord Stanley brought forward his Arms Bill, without the knowledge, advice, or sanction of his colleagues. He brought it into the House, and it lived just a few minutes, it enacted that arms were to be branded, and having unregistered arms to be punished by transportation. Mr Wyse opposed it in these eloquent terms:—

> "Was Ireland, then, on the eve of a national insurrection? Had misrule reached its climax, and was the House called upon by some instant, general convulsion, to take precautions which nothing but such appalling circumstances could for a moment justify? If such events were to be apprehended, no measure could more tend to hasten them. It would ripen the very discontent and revolt it was intended to check."

And he then went on to say:—

> "The spirit of discontent, arising from the misery and misgovernment of centuries, was stalking forward; and if this evil and malignant genius was to be exorcised from our shores, it was not by coercive and distrustful legislation that it could be done. And this, too, was to be a permanent measure, as if Ireland were doomed to irremediable disturbance, and it was an element of her being to be ever discontented. Let Government subdue Ireland by other means than force—conquer her with such measures as reform—redress her grievances, and then trust arms without peril to her hands."*

And on July 8, upon the question being put by Mr. Goulburn, Mr. Stanley stated that he did not intend to persevere with his bill. Mr. Wyse was evidently right, and the noble Lord was as evidently wrong. The bill, however, which was then thrown out with contempt, was now resuscitated by the noble Lord (the present Secretary of Ireland), who then sat on the opposite side of the House to the noble Lord. On September 23, 1831, however, Mr. Stanley moved for the discharge of the order for the adjourned debate on the Importation of Arms and the Keeping of Arms (Ireland) Bill, with a view of bringing in another bill to revive for one year the Acts 47th and 50th Geo. 3, which had now expired. Sir R. Peel, having taunted Mr. Stanley with some degree of levity in bringing forward a measure of unusual severity, Mr. Stanley, in reply,

> "Admitted that he withdrew the measure submitted to the House in consequence of the decided opposition to his motion of those hon. Members to whose opinions he was in the habit of looking with deference and respect."

In the year 1831, the same noble Lord for the first time united the Arms' Bill and the Ammunition Bill into one measure. In 1834, these acts were again renewed for one year, without any debate, as the House had expended its eloquence on the Coercion Act. Thus, from 1831 to the present time, were the Arms Acts for Ireland run through the House, merely continuing in a few lines, the former enactments and attracting little attention, being brought in at the end of the Session; or perhaps, as in this present Session, in the race week, when hon. Gentlemen thought more of their pleasure at Epsom, than of their legislative duties. Thus were the laws framed for Ireland, and thus were the Irish made aware of the laws which existed. If the former Arms' Bills had been printed as this had been, for which he gave the noble Lord credit, the House would have known what the acts contained. He would give the House a specimen of the coercive measures which had existed in that unfortunate country. The Insurrection Act was in force from 1796 to 1802, six years; the Martial Law was in force from 1803 to 1805, two years; the Insurrection Act was in force from 1807 to 1810, three years; the Insurrection Act was in force from 1814 to 1818, four years; the Insurrection Act was in force from 1822 to 1823, one year; and the Insurrection Act was in force from 1823 to 1825 (August), two years. The Associations Act, 1829, was in force one year; Party Processions, 1832, five years; Coercion Act, with courts martial, from 1833 to 1834, one year; Coercion Act mitigated, from 1834 to 1835, one year. But here they stopped. The noble Lord left office, and they stopped; the Habeas Corpus Act was suspended from 1797 to 1802, six years; again suspended from 1803 to 1806, four years; again suspended in 1822, one year; White Boy Act, 1831, and Party Processions Act, 1838, five years. There had been no Coercion Act since 1835, he thanked God; but if the noble Lord the Secretary for the Colonies had been in office, there would no doubt have been plenty. They had received sufficient evidence since 1835 that stringent enactments were of no use in governing the Irish people. In no period of the history of the country had the people been so amenable to the laws as since the year 1834; and it was, therefore, with regret that he now saw, in 1843, the House again asked to pass a bill to restrain the liberty of the Irish people. He was surprised that the noble Lord the Secretary for Ireland should bring in a bill of this nature without taking away the arms from that portion of the Irish people whose possession of arms had been repeatedly shown to have done infinite mischief; he meant the arms in the hands of the yeomanry. The noble Lord had not laid on the Table the papers respecting these arms, and he feared that Government would rather avoid taking up the arms formerly in the hands of the Irish yeomanry. In July, 1831, Mr. O'Connell objected to the grant of 189,803*l*., for defraying the charge of the yeomanry corps, &c.; when Mr. Stanley said,

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* Hansard, Third Series, vol. iv. p. 619, 620.

> "In one respect he had only done justice to the Government of Ireland, in stating that it had done everything in its power to prevent the yeomanry force from becoming a party force. If it had not succeeded to the extent it could wish, it was not the fault of the Government."

And no doubt this was true. Lord Althorp said,

> "The use of such a force was, he admitted, only a choice of evils."

In August, 1831, Sir Richard Musgrave presented a petition from the city of Waterford, signed by a great number of highly respectable persons, praying for an inquiry into the late affair at Newton Barry, and also praying the House to adopt measures to disarm the Irish yeomanry. He heartily concurred in the prayer of the petition, the compliance with which was absolutely necessary to preserve the peace of Ireland. The House received the petition, but refused to print it on account of the strong language contained in the petition upon the yeomanry generally. A strong feeling, however, existed in the House, that the yeomanry was an improper force. Such was the evidence of the nature of the yeomanry that it was the bounden duty of the Government to take the arms out of their hands as soon as possible. What was the evidence with respect to them taken before the Orange Committee of 1834? Colonel Verner was asked—

> "Have you any Catholics in your corps?—None.
>
> "Are they all Orangemen? — They are not.
>
> "Are there any labourers in the corps to your recollection — that is, mere labourers, men who have no farm?—There are some.
>
> "Do you recollect that there are?—There are some persons residing in the lodges at my gates who work and labour for me, who are yeoman in the corps.
>
> "Are there any Roman Catholics holding comfortable small farms in that part of the country?—There are some, but not many.
>
> "There is no man of that description in

your corps, is there?—No, there are no Roman Catholics."

Colonel Blacker was asked—

"Were not those Orange lodges, to your knowledge, established in many of the regiments of militia?—I have no doubt of the fact.

"Are not most of the yeomen in the north of Ireland Orangemen?—I should think and hope that they all hold Orange principles, though I do not know whether they belong to Orange lodges."

Mr. P. M'Connell said—

"Is the Tanderaga corps exclusively Protestants?—I believe so—exclusively Orangemen. I believe no one would be admitted into the corps, unless they were Orangemen.

"You state, that in 1835 there were a number of yeomen who appeared regularly in the Orange processions on the 13th of July?—Yes; but they did not appear as yeomen, but as individual Orangemen, marching in procession. I knew them to be yeomen before.

Captain David Duff gave evidence to the same effect.

"Do you think there is an equal number amongst the lower order of Protestants unregistered?—I do not think there are, because many of the lower order of Protestants in the north of Ireland are yeomen; and I believe, under the act they can hold yeomanry arms, without reference to a register.

"Do you believe that the majority of the Protestants in the north of Ireland are yeomen?—I believe they are."

Lord Gosford was asked—

"Your lordship stated, that the yeomanry are generally Orangemen?—That is my impression.

"If the yeomanry are in fact Orangemen, they must have conducted themselves so as not to have caused any complaints against their conduct in the opinion of Lord Grey's government?—I cannot tell what opportunities they may have had: the yeomanry have been little known. The corps are not called out, I know, at all in my neighbourhood, and I believe there are very few corps; they are so very seldom assembled and brought together, one hears little of them."

Sir Frederick Stovin, speaking of the Orangeman at Dungannon and of the procession, said—

"Ten of them were armed with yeomanry muskets. . . . . It was reported to the Lord-lieutenant, and the Lord-lieutenant ordered the yeomanry corps to be disarmed.

"Are the Protestant gun-clubs appendages to the Orange body?—I do not know; but from what I have heard, not. There is no occasion for it, because I should say that the yeomanry are almost all Orangemen.

"Do not you consider that the yeomanry, notwithstanding their being almost entirely Protestants are an useful institution?—They were an useful institution.

"Within the last ten years?—Quite useless; and more than useless, in my opinion. I think they are dangerous."

He would refer the House to the great number of petitions that were presented a few years ago, praying for the disembodying and disarming the Irish Yeomanry. On referring to the Journals, he found that on the 18th of August, 1831, Mr. O'Connell presented a petition from the inhabitants of Carrick-on-Suir, to disband the yeomanry of Ireland. On the 26th of August, 1831, Mr. Lambert presented two petitions from the Protestant and Catholic inhabitants of New Ross, in the county of Wexford, praying the House to adopt measures for disarming and disbanding the Irish yeomanry. The hon. Member said,

"That from the inquiries he had made relative to the unfortunate affair at Newtown Barry, he was of opinion that it was a wanton, unprovoked, and, be had much reason to fear, a deliberate, premeditated massacre."

On the 27th of August, 1831, Mr. Blackney presented a petition from the inhabitants of Paulstown, for disarming the yeomanry in Ireland. On the 6th of September, 1831, Sir John M. Doyle presented a petition from the inhabitants of Leighton Bridge, in the county of Carlow, praying that the yeomanry of Ireland might be disarmed, in which prayer he cordially concurred. On September 7, 1831, Lord Killeen presented a petition from the inhabitants of the parish of Navan, in the county of Meath, praying that the yeomanry might be disarmed. He agreed with the prayer of the petition, which stated that the yeomanry, instead of protecting the people, committed all sorts of outrages. He hoped all the corps would be gradually abolished, although he was free to admit, that some of them were well-disciplined, and did not deserve the censure which had been heaped indiscriminately upon them. Sir Francis Burdett, on that occasion, said it was ridiculous to attempt to keep the peace of a country by the aid of a force which was in itself obnoxious. If a force was necessary, let it be a regular body under proper discipline, and not a local body imbued with party feeling, &c. On September 9, 1831, Mr. Blackney presented a petition from the inhabitants of Carlow, of all persuasions, to disarm the yeomanry. On the same day, Mr. Lambert also presented six petitions from places in Wexford, praying that the yeomanry might be disarmed; the petitioners referred to the affray at Newtownbarry, by some denominated a massacre, and by others a sad transaction, and prayed that the Government would visit with its censure the conduct of the corps which had been there employed. On September 26, 1831, Mr. O'Connell presented a petition from Belfast, praying for inquiry into the conduct of the yeomanry in Ireland, particularly with reference to the Newtonbarry affair. On the 3d October, 1831, Mr. Lambert presented petitions from Gorey, Templeshamber, Adamstown, and other places in Ireland, praying the House to adopt measures to disband the yeomanry corps in that country. A great variety of other petitions, with the same prayer for disbanding the yeomanry, were also presented from many other districts; but he would not weary the House with going through the returns. Perhaps hon. Gentlemen were not aware, that the yeomanry corps in Ireland were very differently constituted bodies from the yeomanry corps in England—indeed, they were as different as they possibly could be. The Irish yeomanry were not constituted of men of wealth, or large farmers, or persons who had any stake in the country. No such persons were to be found in an Irish yeomanry corps, but they were for the most part constituted of labourers, who lived on the domains of the officers of the respective corps. [*No, no.*] He contended that it was so, and that this was proved by the evidence taken before the Orange committee. [*A cry of* "Question."] This was the question; there was a clause in the bill, having reference to the arms of the yeomanry, which enacted that they should be registered and branded. Now it was a matter of notoriety, that their arms did not belong to them, but to the Crown. These loyal corps, as they used to be called, were disbanded by the noble Lord, the present Secretary for the Colonies; and on orders being issued to this effect, they refused to give up their arms, and many of them still kept them in their possession. Others of them had sold or raffled their arms; and some, he had been informed, had bequeathed them to their children as heir looms. Such was the effect of Tory legislation in Ireland, that they never proceeded to adopt any measures without exciting one class of the people against the other, and creating the most improper and obnoxious distinctions. He would ask the noble Lord the Secretary for Ireland whether, if he put arms belonging to the Crown into the hands of the inhabitants of one side of Piccadilly, and refused the people on the other side permission to keep arms in defence of their persons and property, whether Piccadilly would be in a peaceable state? If such a state of things existed, and the House proceeded to legislate for Piccadilly, the noble Lord might depend upon it, that he would find it in a much worse state than Ireland had been described to be. It must be clear to any one who would reflect on the subject, that it would be impossible by branding the arms and leaving them in the hands of the disbanded yeomanry, or by any such means, that they could preserve the peace of the country. To show the state of neglect that arose with respect to the arms of the yeomanry, he would mention a circumstance which came within his own knowledge. It came to his ears that a great quantity of ammunition were secreted in a small inn in a town in the county of Leitrim. He happened to have some influence with the proprietor of the house, and he recommended him to give it up to the constabulary or to the magistrates. He did not know the exact quantity of arms that were found, but there was a very considerable number of bayonets, and there was also found three casks of ball cartridges. The individual he alluded to at once assented to his suggestion, and surrendered all the arms and ammunition to the next ordnance dépôt. Her Majesty's Government had been pleased to approve of what he had done, and he received the following letter:—

"*Dublin Castle, Dec.* 19, 1842.

"My Lord,—I have the honour to acknowledge the receipt of your letter of the 17th instant, and am directed by the Lord-lieutenant to acquaint your lordship that his Excellency quite concurs in the propriety of the directions given to provide for the immediate security of the gunpowder, &c., which the constabulary will be instructed to forward to the Ordnance dépôt at Enniskillen.

"I have the honour to be, my Lord,
"Your Lordship's obedient servant,
"E. LUCAS.
"The Viscount Clements, Mohill."

After such an expression of approbation of his conduct he had a right to suppose that the Government would adopt a similar course upon another occasion, but such was not the case. A warrant being issued by the Lord-lieutenant to search for arms in the same county, the magistrates acted upon it with the greatest impartiality, taking the arms that were not registered out of the possession of persons of all parties; but hearing that it was proposed to return the arms to the yeomen, he wrote to the Lord-lieutenant the following letter:—

"*Lough Rynn, Mohill, Jan.* 22, 1843.

"My Lord,—I have been informed that divers representations have been made to her Majesty's Government that in the late search for arms in this county, arms have been taken from 'the yeomanry' by the police.

"I, therefore, have the honour to request that your Excellency will have the goodness to institute an inquiry into the facts of the case.

"It is true that a vast number of arms have been taken that did formerly belong to the yeomanry; but they have, I believe, long ceased to be in the hands of yeomen, and have in most instances been sold, raffled for, or left as heir-looms to the persons who at present have them, or have had possession of them, and they have borne a higher value, on account of the supposed impunity with which they could be held, which is dangerous to the peace of the country.

"At the very last petty sessions in Mohill, there was a man charged with bringing a gun to the door of this house, and threatening to blow out another man's brains with it.

"The magistrates sent for the gun—it was a yeomanry musket.

"On the very same day a man was punished for being out shooting on a Sunday. He has since brought his gun to me—it is a yeomanry musket.

"Thus the arms which were formerly given into hands who were no doubt at that time considered trustworthy, have now fallen, in most instances, into those of persons who ought not to be allowed to possess arms of any kind, much less those which belong to the Crown.

"It would be advisable, if your Excellency should think proper, to ask, who are 'the yeomen?' Who are their officers and non-commissioned officers? If they have any muster-rolls, or if they know in whose hands the arms and appointments are now to be found?

"I can assure your Excellency that you need not expect to find 'the yeomanry' what you have been accustomed to understand by that word.

"There is no such body in this county.

"I have the honour to be, my Lord,

"Your Lordship's obedient servant,

"CLEMENTS.

His Excellency the Earl De Grey."

To this he received an answer stating that inquiry had already been directed to be made into the circumstance therein referred to. But no proper enquiry was ever made. He could not help expressing his satisfaction at the conduct of the stipendiary magistrate who was sent down to Leitrim, in 1840. He alone had done more to preserve the peace of the country than half-a-dozen Dublin Castles. That gentleman was called upon to act at a period when that locality was much disturbed, and in that part of Leitrim nearly all the magistrates were away, and even the clerk of sessions had disappeared, and the officer of police was on leave of absence. At that period Sir William Lynar came down to the county and worked day and night to preserve the peace, in which he was eminently successful. That gentleman obtained the highest respect in the county, and when he left it thanks were voted to him by the magistrates. He held in his hand a resolution recently agreed to by a number of magistrates in Leitrim, on the subject of the arms now in the possession of the yeomanry.

"We, the undersigned magistrates of the county of Leitrim, are of opinion that a quantity of yeomanry arms are in the hands of persons not being originally in that service, and not duly registered, and constantly used in poaching and other improper purposes. We are of opinion that such lately taken up, should not be returned; and that arms belonging to disbanded corps of yeomanry ought to be taken into store. And further, that officers in command of corps be requested to furnish muster rolls, in order that the magistrates should be informed of such persons as are entitled to have yeomanry arms in their possession. 26th January, 1843."

This document was signed by twelve magistrates. Yet notwithstanding their recommendation, the yeomanry arms that had been taken up were returned to the persons from whom they had been taken. Under these circumstances, when he saw a bill of this kind brought forward, he had a right to complain of the conduct of the Government. He was totally unable to comprehend the wisdom or the policy of arming one part of the population against the other, which is to be deprived of all arms. He could not tell how it was, but it happened that the Government for Ireland was always working against itself. Such was the feeling of distrust entertained by the chief government of the local government in the several counties, that it was always trying to create jealousy between the magistrates and the police. At present, however badly a policeman behaved, a magistrate could not discharge him, or even remove him from the district. He had known instances of this kind, where the men had been guilty of the greatest impropriety of conduct. He would not trouble the House further, but would merely second the amendment that this bill be read this day six months.

Mr. *Bateson* said, that the noble Lord who had just sat down, probably imagined that he, as an Irishman, must rise with great reluctance to support the Government in carrying into law this "abomination, brought forth in a monstrous way," as the noble Lord termed the bill before the House; but he could assure him, that the only reluctance he felt was in rising to address the House in support of the bill, after the speech delivered by the noble Lord—a speech which, if it proved anything, proved the great necessity there was for a measure of this nature. But leaving the noble Lord to carry into practice his theory of "giving arms to both sides of Piccadilly," he would revert to the present unhappy state of Ireland, as his great reason for supporting the present bill. He saw that agitation and discord were being scattered through a large portion of the land—that inflammatory appeals were being daily made to the populace by those in whom they trusted—that resistance and separation from England were the common topics of discussion, even in the public papers; and that fire and the sword, if not absolutely recommended, were, at least, spoken of (as at Cork and Cashel) as means, which it might be necessary for the people to employ. When he perceived this state of affairs, and heard the counsels which had been given, he considered he was no enemy to liberty, but merely a foe to anarchy and licence, when he expressed his thanks to her Majesty's Government for having brought forward a measure for the registration of arms. He could not, like the Noble Lord, conceive this to be a coercion bill. In fact, he was no admirer of coercion bills—no advocate for penal laws. He was not of opinion, as many were, that it was expedient to pass some legislative enactment to put down repeal discussion. The actual laws, if carried into effect, were at present sufficient, and a fresh enactment would only give to it an importance which it really did not now possess. He would deprecate any such new legislation to put down free discussion; for he conceived it would only be adding fuel to that flame, which, though it apparently burned brightly at present, would soon, he was convinced, greatly die away, as it was encouraged by neither the rank, the wealth, the intelligence, the respectability of either Protestantism or Roman Catholicism. But though he conceived on the one hand that no new law was necessary to fetter public discussion; yet one was required to disarm the disaffected, whose minds had been poisoned by seditious counsels—though with reference to repeal meetings the actual laws, and the powers which the constitution gave the executive were, in his opinion, amply sufficient to meet the exigencies of the moment. But this bill did not fetter public discussion—it did not infringe that right, while it protected the life of the subject. He should, indeed, regret if it were necessary to do so; for he preferred that the wound, if there were one, should rather bleed outwardly than fester inwardly. But, unfortunately, it was not always those "who sow the storm, who reap the whirlwind." No, the penalties of violated justice too often fall, not on the instigators of crime, but upon their poor deluded ignorant followers: who, excited by hopes and promises, which, they who hold them out, know cannot by any possibility be realised, blindly and enthusiastically follow the lawless commands of their leaders, who, though they speak daggers, and talk of fire and blood, have not the courage themselves to cast away the scabbard, or to touch even the handle of their sword. When such, then, was the state of Ireland, and such the counsels given to his countrymen, he conceived it was imperative on the Government to come forward as they had done, and take steps for the protection of life and property. And what course can be so prudent—what so merciful, as thus preventing the commission of crime, by disarming those who can have no legitimate use for weapons, and by taking it out of the power of revenge, or political or religious fanaticism, to execute their dark designs? It had been called a coercion bill; but he said it was in truth a merciful and necessary proposition. It had been stated, that it would create disaffection, but those who were opposed to it, were, he feared, hopelessly incurable in their disaffection at this present time. He trusted he would ever be an advocate for conciliation, when it was not repugnant to justice; but he would never allow the fear of making an enemy to bias his sense of what was right. With regard to this bill creating disaffection, he would beg to call the attention of the

House to this fact—that no measure, however conciliatory—no concession, however great, made by a Government to a political party opposed to it, can put an end to their opposition, if that party believes that the root of the evil is, not in the acts, but in the very existence of the Government itself; and the House might depend upon it that such was now the case with those who cried out so loudly against this bill. He would tell her Majesty's Government that it was not their acts, it was not this or that bill, this or that official appointment, but it was their political being, which that party deprecated. On that principle they had acted, and would continue to act. The repeal press had publicly stated that it mattered not whether the Government should act impartially, without respect to religion or party. "If, therefore, you follow their wishes, they will conceive it to arise from weakness or fear—if you thwart them, and carry the law into execution, you, like your predecessors opposite, will be called 'base, brutal, and bloody.'" He hoped this Arms Bill was not the only measure in reference to Ireland which the Government intended proposing. Yes, he trusted it was only a preliminary measure. If hon. Gentlemen opposite would listen they would find they were mistaken as to the purport of what he was about to say. He was going to state, that the patient after the present fever and excitement were allayed, would require care, attention, and nourishment. He meant that attention should be given to the improvement of the natural resources of Ireland—to the protection of her agriculture and manufacture of provisions—to the discouragement of absenteeism—to the employment of the poor, for there was an old but true adage—"The devil tempts all other men, but idle men tempt the devil"—and to the amelioration of the habits and condition of the lower orders. It would be by such measures, and not by any political changes, such as reform bills, municipal acts, that Ireland would become what nature destined her to be, a rich, flourishing portion of this mighty empire, and its right arm of defence in times of trouble. He felt full confidence that her Majesty's Government would not neglect her vital interests, which he was sorry to confess had never been properly attended to even by Irishmen themselves. Would that those who are daily declaring their willingness to die for her—would that they would follow the far easier course of trying to live for her, and not only for themselves. He should support the second reading of the bill, and trusted that all who were not blinded by party prejudice would join him in so doing.

Mr. *Sheil* then rose. He said: If I were convinced that the Arms Bill, even in its present most obnoxious shape, was necessary for the repression of crime, I should reluctantly indeed, but strenuously sustain it; but of its utter inefficiency for the attainment of that legitimate purpose, in which it is obligatory upon us all to concur, I am thoroughly persuaded. It is not to the want of an Arms Bill, such as this, it is to the imperfect, I am almost justified in calling it the impotent administration of justice, that the atrocities, by which certain districts in Ireland are unfortunately characterised, are to be ascribed. In the county of Tipperary the prosecutions at the assizes are begun, conducted, and terminated in such a manner as to secure impunity to crime. How has it come to pass, that the offences which fall within the jurisdiction of the assistant barrister, and are prosecuted by the local solicitor, have so signally diminished. I attribute that remarkable decrease to two causes; first, to the high judicial qualities, the talent, the firmness, the impartiality which has won the confidence of all parties, by which Mr. Howley, the assistant barrister is distinguished; and in the next place, to the signal usefulness of the local solicitor for the Crown (Mr. Cahill), who unites with great ability a perfect knowledge of the country; has the best opportunities of ascertaining every incident connected with the cases in which he is concerned; is well acquainted with the character of every witness for the prosecution and the defence; never puts innocence in peril; and never permits ruffianism to escape. But while minor violations of the law are prosecuted with so much effect, what course is taken at the assizes? I beg most distinctly to state that nothing can be more remote from my intention than to speak in the language of personal depreciation of Mr. Kemmis, the Crown solicitor for the Leinster circuit, or to suggest that a local solicitor should be employed in his place, without adding, that he should receive for any loss he may sustain the most ample compensation. But granting him to possess the highest professional qualifications, I have no hesitation at the same time in stating that the business of the Crown cannot be efficiently carried on by a legal absentee, who knows nothing of the county, is utterly ignorant of the witnesses produced for or against the Crown, is utterly unable, not from any want of capacity, but from his position, to suggest or advise the means by which truth can be substantiated, and falsehood can be confuted, is hurried from one azzize town to another, and must get up his briefs with inevitable precipitation, for the information of counsel, who are opposed by the most skilful advocates, aided by a local solicitor for the defence, by whom every imaginable expedient for the frustration of the Crown is employed. It is obvious that, under this system, you give to crime advantages incalculably great. Another suggestion I shall, from a sense of duty—from my solicitude for the public tranquillity—venture to make. You resort to informers, and you pay them largely for their corrupt contribution to the enforcement of the law, but to honest witnesses adequate protection is not given. Some years ago the house of a person of the name of Crawford was attacked, and he was beaten almost to death. He was afraid to prosecute. He lived in my neighbourhood. I obtained from the Government an undertaking that he and his family should be sent to one of the colonies and should be provided for. He was prevailed on to prosecute, and justice was done, and a most useful example made. If you will pledge yourselves to protect the witnesses for the Crown, by enabling them to emigrate, and by compensating them for the loss of their country, you will effect much more than by the unconstitutional proceeding which I am aware your high partisans invite you to adopt. It would be far more befitting in the landed proprietors to attend at the assizes, and perform their duty on criminal trials, than to call for a violation of a great public right. If there is a special commission got up with parade, and attended by the Attorney-general, with a retinue of counsel, the chief gentlemen of the county do not think it inconsistent with their dignity to act on the petty jury; but at the assizes, though the crimes to be prosecuted are of the same class, the juries are wholly different. The petty jury is considered an ungenteel and low concern; the balance in which human life is trembling is committed to coarser and less aristocratic sustainments, and complaints are afterwards made of the constitution of juries by the very men who vote it what they call, in their familiar parlance, "a bore" to attend. There is nothing which I more strongly deprecate than the setting aside of juries by the Crown, except for the clearest and most indisputable reasons, but, on the other hand, I do think that the attendance of Roman Catholics and Protestants, of station and influence, on the criminal jury should be enforced, and that, if necessary, fines of 500*l.* or 600*l.* should be imposed upon them. The utmost care should of course be taken that the juries should not be exclusive, and that no ground for imputation should be afforded; but that precaution being adopted, it is clear that the verdicts found by that class of men, whether of acquittal or of condemnation, would meet the general sanction. I am very well aware that the gentry of the country will be very adverse to this proposition; but they should bear in mind how large a stake they have in the tranquillity of the country, which will be far better promoted by these means than by an Arms Bill, which will take from honest men the means of defence, aud will not deprive the turbulent and the lawless of the means of aggression. When murder becomes lucrative, it is not easy to deprive the assassin of the tools of his profitable trade. If you could succeed in depriving him of his more noisy implements of death, you would but teach him to substitute a more silent but not less efficacious weapon: but you cannot frame a law which he will not readily evade. The wretch who is not appalled at murder, will not tremble at an Arms Bill—your penalties of ten or twenty pounds will be scorned by men who put existence into habitual peril. These are among my reasons for thinking that the Arms Bill will not be in any degree conducive to the purpose it has ostensibly in view, while by its enactment, without obtaining any countervailing benefit, you commit a manifest trespass upon one of the chief constitutional rights which the bill, deriving its designation from those rights, has received. But my main objection to this bill is founded upon the distinction which it establishes between England and Ireland. "Repeal the union—restore the Heptarchy!" Thus exclaimed George Canning, and stamped on the floor of this House as he gave utterance to a comparison in absurdity which has been often cited. But that exclamation may be turned to an account different from that to which it is applied. Restore the heptarchy—repeal the union. Good. But take up the map of England, and mark the subdivisions into which this your noble island was once distributed, and then suppose that in this assembly of wise men—this Imperial Parliament—you were to ordain that there should be one law in what once was the kingdom of Kent, and another in what once was the kingdom of Mercia—that in Essex there should be one municipal franchise, and in Sussex there should be another; that among the East Angles there should be one Parliamentary franchise, and in Wessex there should be another; and that while through the rest of the island the Bill of Rights should be regarded as the inviolate and inviolable charter of British liberty, in the kingdom of Northumberland, an Arms Bill, by which the elementary principles of British freedom should be set at nought, should be enacted—would you not say that the restoration of the Heptarchy could scarcely be more preposterous? What a mockery it is, what an offence it is to our feelings, what an insult to the understanding it is to expatiate upon the advantages of the union, and bid us rejoice that we are admitted to the great imperial copartnership in power, while you are every day making the most odious distinctions between the two countries, establishing discriminating rights which are infinitely worse than discriminating duties, and furnishing the champions of repeal with pretences more than plausible, for insisting that if for England and Ireland different laws are requisite, for Ireland and for England different lawgivers are required. My chief, my great objection to this measure is, that it is founded upon the fatal policy to which Englishmen have so long adhered, and from which it is so difficult to detach them, of treating Ireland as a mere provincial appurtenance, instead of regarding her as part and parcel of the realm. You are influenced by a kind of instinct of domination, which it requires no ordinary effort of your reason to overcome. I do not thing that by Englishmen an Arms Bill like this would be endured. That observation does not rest on mere conjecture; in the year 1819 this country was in a most perilous condition. It appeared from a report made by a secret committee of which the present Lord Derby was the chairman, that large bodies of men were trained to the use of arms in the dead of the night, in sequestered places; that a revolutionary movement, to be accomplished by disciplined insurrection, was contemplated and that revolt was organised for war. In this state of things an English Arms Bill, one of the Six Acts, was proposed. Lord Castlereagh was then the leader of the House of Commons, but although he had served his apprenticeship in Ireland—although he had dissected in Ireland before he attempted to operate in England; and although his hand was peculiarly steady, and he was admitted on all hands not to be destitute of determination, still he did not think it prudent to propose for England such a bill as for Ireland you have thought it judicious to introduce. There is the English Arms Bill of 1819. It is comprised in a single page, look at it; the ocular comparison will not be inappropriate; here is the Irish Arms Bill, a whole volume of coercion, in which tyranny is elaborated in every possible diversity of form which it was possible to impart to it. In the English Arms Bill no penalty whatever was inflicted for the possession of arms: in your Arms Bill, an Irishman can be transported for seven years for having arms in his possession. But although the English Arms Bill was moderate when compared with the Irish, yet Lord Grey denounced it in the House of Lords. [Here Mr. Sheil read the protest of Lord Grey, couched in very strong language, against one of the six acts, in 1819.] Such was the language employed by Lord Grey in reference to the English Arms Bill in the House of Lords. In the House of Commons, H. Brougham exclaimed: "Am I an Englishman, for I begin to doubt it, when measures so utterly abhorrent from the first principles of British liberty are audaciously propounded to us?" That great orator then proceeded to offer up an aspiration that the people would rise up in a simultaneous revolt and sweep away the government by which a great sacrilege upon the constitution had been perpetrated. What would he have said—how would Lord Castlereagh have been blasted by the lightning and appalled by the thunder of his eloquence if a bill had been brought forward, under which the blacksmiths of England should be licensed, under which the registry of arms was made dependent on a bench of capricious magisterial partisans, under which an Englishman might be transported for seven years, for exercising the privilege secured to him by the Bill of Rights; and every pistol, gun, and blunderbuss was to be put through that process of branding, the very motion of which, in 1831, made by the noble Lord opposite, the Secretary for the Colonies, the then Secretary for Ireland, produced an outburst of indignation. It is said that this bill has nothing new. That is a mistake — it contains many novelties in despotism, many curiosities in domination. My friend the Member for Rochdale has pointed them out. But supposing that everything was old in this bill, does not your defence rest on a perseverance in oppression, on that fatal tenacity with which you cling to a system, to which your experience should tell you that it is folly to adhere. This bill, it was observed by the noble Lord the Secretary for Ireland, was found, in 1807, in the portfolio of the Whig Secretary. The Whigs had prepared a measure of coercion and of relief. The Tories turned them out on the measure of relief, and of the measure of coercion took a Conservative care. The Secretary for Ireland stated that the first Arms Bill was introduced in 1807 by Sir Arthur Wellesley. Sir Arthur Wellesley! The transition which has taken place from Sir Arthur Wellesley—from the official of Dublin Castle to the warrior, by whose fame the world is filled —is not greater than the transition of the country which gave him birth, from enslaved and degraded to enfranchised and liberated Ireland, who has grown too gigantic for your chains, and dilated to dimensions, which your fetters will no longer fit. But although the project of an Arms Bill was unfortunately found in the Whig portfolio, that measure was condemned at the time by some of the most distinguished members of that great party. Hear what Sir Samuel Romilly says of the measure in his diary. In speaking of the Insurrection Act and the Arms Bill, which he regarded as near akin, he says (vol. 6 p. 214),

> "The measure appeared to me so impolitic, so unjust, and likely to produce so much mischief, that I determined, if any person divided the House, to vote against it. I did not speak against the bill: that it would pass, whatever might be said against it, I could not doubt; and therefore thought that to state my objections against it, could have no other effect, than to increase the mischief, which I wished to prevent. What triumphant arguments will this bill, and that which is depending in the House for preventing the people having arms, furnish the disaffected with in Ireland? What laws more tyrannical could they have to dread, if the French yoke were imposed on them? To adopt such a measure at a moment like the present, appears to me to be little short of madness. Unfortunately the measure had been in the contemplation of the late Ministry. They had left a draft of the bill in the Secretary of State's office, and they were now ashamed to oppose, what some of themselves had thought of proposing. The Attorney and Solicitor of Ireland had approved of the bill, but Pigott and myself had never heard that such a matter was in agitation, till it was brought into the House, by the present Ministers."

Such was the opinion of Sir Samuel Romilly: in the judgment of the majority of this House, as it is at present constituted, that opinion may have no weight, but I am able to refer to the authority of a distinguished Statesman, who is at this moment in the full fruition of the confidence of Parliament. That eminent person stated that

> "The speaker asked what was the melancholy fact? That scarcely one year had at any period elapsed since the Union during which Ireland was governed by the ordinary course of law; that in 1800 we found the Habeas Corpus Act suspended, and an act for the suppression of rebellion in force; that in 1801 it was continued; in 1802 it expired; in 1803 disturbances occurred, and Lord Kilwarden was murdered by a savage mob; that in 1804 the act was renewed; in 1806 disorders arose, and the Insurrection Act was introduced in consequence; in 1810 and 1815 the Insurrection Act was renewed; and in 1825 an act was passed for the suppression of dangerous associations, and particularly of the Catholic Association; in 1826 the act was continued, and in 1827 it expired; and after this enumeration of acts of impolicy and injustice, he asked, "Shall this state of things continue without an effort to remedy it?"

Who was it that spoke these words? Were they spoken by Henry Brougham? Were they spoken by Lord John Russell? No:—the man that gave utterance to these words was no less a person than the First Lord of the Treasury, the ruler in some sort of this great and majestic empire; it was by him that the policy, with which this very measure is connected, was virtuously and vehemently denounced. The speech to which I have referred was spoken in 1839, before Catholic emancipation was actually passed, it was, indeed, the speech in which the whole plan of emancipation was propounded. But if the policy, thus strenuously condemned by the Prime Minister, was deserving of censure before the great measure of Catholic enfranchisement, is it not in the highest degree incongruous, is it not indeed monstrous on the part of the Government, of which that right hon. Gentleman is the head, to propound the very measure which had been the object of his almost unqualified condemnation. But I shall be told, that the predictions made by the Roman Catholic leaders have been falsified, and that they have themselves done their utmost to prevent the fulfilment of their prophecies. [*Hear, hear.*] You say hear, hear, but your derisive cheering is inappropriate. If Roman Catholic emancipation had been carried, when the Catholic clergy could have been connected with what Mr. O'Connell called a golden link, with the State, those predictions would, in all likelihood, have been fulfilled, but when you yourselves permitted emancipation to be, I will not say, extorted, but won from you by the means, through which it was obtained, what results would you have reasonably anticipated, but those, to which you have yourselves, most essentially contributed? How could you expect, that 7,000,000 of your fellow-citizens could by possibility acquiesce, in an institution, against which reason and justice concurrently revolt? How could it be expected, that after emancipation, when England was agitated by the Reform question, Ireland should remain passive and apathetic, and should not demand a redress of those grievances, which pressed upon her far more heavily than any abuse connected with your former parliamentary system? And now, when from morn till night, and from night till morn, Englishmen cry out, that the union must be maintained, how can any one of you imagine that we shall not insist that the principle upon which the union was founded, should be carried into effect, and that all odious distinctions between the two countries shall be abolished? You think that, the repealers of Ireland are conspicuously in the wrong—are you sure that you are yourselves conspicuously in the right? Passing over the questions connected with the Established Church, questions which are dormant, but not dead, and which I have not the slightest doubt that your impolicy will revive, I ask you, whether in the course pursued in the Municipal Bill, you have evinced a just desire to place England and Ireland upon a level? Was the language employed by the noble and learned Lord, who has the conscience of the Sovereign in his keeping, and which is fresh in the memory of the Irish people, calculated to reconcile us, to the legislative dominion of this country? You withheld the Municipal Bill as long as with safety you could deny it to us, and when at last you were forced to yield, you still adhered to your old habit of distinction, you created a different franchise for the two countries, and although you gained nothing whatever for your party in the result, and were completely baffled, as I told you, you would beyond all doubt be, you left in the Municipal Bill an envenomed sting behind. But let us turn to the other instances, in which your dispositions towards Ireland are too faithfully exemplified. Let us turn to the registration of votes, from the registration of arms. Where is your Registration Bill? I am putting to you, the question, which, three years ago, was put again and again to the Whig Government, by their antagonists. "Where is the Registration Bill?" cried Mr. Baron Lefroy. "Where is the Registration Bill?" cried Mr. Jackson, now a judge of the Common Pleas. "Where is the Registration Bill?" cried Mr. Litton, now a master in Chancery. But more loudly and more vehemently than all the rest, "Where, where is the Registration Bill?" cried the noble Lord the Secretary for the Colonies. Not a month, not a week, not a day, was to be lost in the judgment of the anxiously impatient Lord. The Whigs brought in a bill, and gave a liberal definition of the franchise, their object was to establish a constituency commensurate with the wealth, and the intelligence, and in some degree with the numbers of the Irish people. That measure was defeated, and the noble Lord, who was possessed at the time with a passion for legislating for the Irish people, provided a bill at the close of the year 1841, by which the independence of the people of Ireland would have been totally unprotected, and of which the bare proposal has done more to advance the cause of repeal than all the speeches which the member for Cork had ever delivered upon the subject. Parliament was dissolved—a new Parliament was elected, and a Tory Ministry was the result. As soon as the Tories were fully installed in office, it was but natural to ask them, the question which they had put so often, " where is the Registration Bill?" Some vague intimation was given that the Government would bring forward a measure in the course of the Session. In the course of the Session, the Longford committee excluded Mr. White from Parliament, but at the same time reported, that the law was so doubtful, had led to more contrary decisions, and had been the subject of so much contention among the Irish Judges, that it was incumbent on the Government to settle the question, and to bring in a declaratory act, still nothing was done in 1842. At the commencement of the present Session, the Secretary for the Home Department was asked, what he meant to do, in reference to the Registration Bill, the eternal Registration Bill. He answered " Oh, we will first proceed with the English Registration Bill." But for the English Registration Bill was there no urgent necessity—there was no pretence whatever for giving the English precedence over the Irish measure. Well, the English Registration Bill is brought in and passed, and then the question is renewed, " where is the Irish Registration Bill?' And to that question what reply was given? Oh, we must first bring in the Irish Arms Bill. Thus, notwithstanding the reiterated demand for the Irish Registration Bill, made by the Tories themselves when out of office, notwithstanding the report of the Longford election committee, notwithstanding the repeated engagement to bring the measure forward, not only is not that measure produced, but to the Arms Bill, to this outrage upon the just principles of liberty, the Bill declaratory of the Parliamentary franchise of the people of Ireland, is postponed. And on what ground has this precedence of the Arms Bill been maintained? wherefore is it that everything is to be postponed to an Arms Bill? The Secretary for Ireland tells us, that order must be asserted, before freedom is conferred, that crime must be repressed, and that the " thirst for Arms," that was his expression, must be repressed. The thirst for arms! There is another thirst, which you have taken care to provide. Have you, who profess yourselves to be the guardians of the national morality, manifested an uniform and undeviating solicitude for the virtue of the people, over whom you are appointed to watch? Despite of every remonstrance, notwithstanding the most earnest expostulation, did you not persist in the enactment of a financial measure, which has given the strongest stimulant to crime, and has already produced some of the most deleterious effects which, it was foretold, would be inevitably derived from it. You know full well, that the most frightful crimes which have been perpetrated in Ireland, have had their origin in those habits of intoxication, which the evangelist of temperance, if I may so call him, had so effectually restrained, until the Chancellor of the Exchequer had determined to counteract his noble efforts. Every private still is a hot-spring, from which atrocity gushes up, and supplies those draughts of fire, with which ferocious men madden themselves to murder, and drive every sentiment of humanity, and of remorse, and surrender themselves to the demon, that takes possession of their hearts. And yet you talk to us of the necessity of repressing crime being paramount to every other consideration, and of the " thirst for arms," and deal in all that false sentimentality, with which the real purpose by which you are actuated, is so thinly and imperfectly disguised. It is not wonderful, that when such is the spirit in which you legislate for Ireland, that the people of Ireland, weary of, and disgusted with your unfairness, and your incapacity, should demand the restitution of their Parliament, and insist upon their right of governing themselves. And how has the First Lord of the Treasury met the requisition for self-government, which the Irish people had preferred to him? He came down to the House with a well meditated reply to the question put to him by the noble Lord (Lord Jocelyn), and referring to the answer of King William the 4th, in which that monarch expressed himself opposed to the Repeal of the Union; stated her Majesty's coincidence with that opinion, but omitted the conciliatory assurances with which that opinion was accompanied. I am very far from believing that the right hon. Baronet, as has been imputed to him, intended by a reference to his Sovereign, to produce any refrigeration in the feelings of warm attachment which the people of Ireland entertain towards their beloved Sovereign; I think, that as he appealed in the name of the Parliament to the fears, he appealed in the name of their Sovereign to the affections, of the Irish people. For my own part, as long as I shall be permitted to refer to a document which has become a part of history, I never shall object to any reference to the opinions of my Sovereign with regard to Ireland. I hold in my hand a letter written by Lord John Russell to Lord Normanby, by the command of his Sovereign, on her accession to the Throne. That letter is in the following words:—

Whitehall, July 18, 1837.

"My Lord,—In confiding again to your Excellency the important charge of administering the affairs of Ireland in her Majesty's name, the Queen has commanded me to express to your excellency her Majesty's entire approbation of your past conduct, and her desire that you should continue to be guided by the same principles on which you have hitherto acted.

"The Queen willingly recognizes in her Irish subjects a spirit of loyalty and devotion to her person and Government.

"Her Majesty is desirous to see them in the full enjoyment of that civil and political equality which, by a recent statute, they are fully entitled to, and her Majesty is persuaded that when invidious distinctions are altogether obliterated, her Throne will be more secure and her people more truly united.

"The Queen has seen with satisfaction the tranquillity which has lately prevailed in Ireland, and has learned with pleasure that the general habits of the people are in a state of progressive improvement, arising from their confidence in the just administration of the power of Government.

"I am commanded by her Majesty to express to you her Majesty's cordial wishes for the continued success of your administration; and your Excellency may be assured that your efforts will meet with firm support from her Majesty.

"The Queen further desires that you will assure her Irish subjects of her impartial protection.

"John Russell."

Such was the language dictated by the young Queen of England to her Minister. She had read the history of Ireland — she had perused, and in the perusal was not, I am sure, unmoved, the narrative of oppression and of woe—she knew that for great wrongs a great compensation was due to us—she felt more than joy at witnessing the blessed fruits which had resulted from the first experiment in justice, and she charged her Minister to express her deep solicitude for the welfare of the people of Ireland. Never did a sovereign impose upon a Minister a more pleasurable office—with what admiration, with what a sentiment of respectful and reverential admiration must he have looked upon that young and imperial lady, when, in the fine morning of her life, and in the dawn of her resplendent royalty, he beheld her with the most brilliant diadem in the world glittering upon her smooth and unruffled forehead, with her countenance beaming with dignified emotion, and heard her, with that voice which seems to have been given to her for the utterance of no other language than that of gentleness and of mercy, giving expression to her affectionate and lofty sympathy for an unfortunate, but a brave, a chivalrous, and, for her, enthusiastically loyal and unalterably devoted people. How different a spectacle does Ireland now present from that which it then presented to the contemplation of her Sovereign! She cannot be insensible to the change. In return for your stern advice to your Sovereign, did you not receive a reciprocal admonition; and did she not tell you, or did not your own conscience tell you to look on Ireland, and to compare her condition under a Whig and Conservative administration. But it is not with Whig policy alone that your policy should be compared;—your own policy in a country more fortunate than ours furnishes almost an appropriate matter of adjuration. Why do you tell me, in the name of common consistency and plain sense, wherefore do you adopt in Canada a policy so utterly opposite from that which in Ireland it is your and our misfortune that you should pursue? From a system so diametrically opposed, how can the same results be expected to follow? In Canada, under the old colonial rule, there prevailed a strong addiction to democracy, a leaning towards the great republic in their vicinage, a deep hatred of England, and a spirit which broke, at last, into a sanguinary and exceedingly costly rebellion. You had the sound feeling and the sound sense to open your eyes at last to the series of mistakes, which successive Governments had committed with regard to Canada — your policy was not only changed but revolutionised—you abandoned the "Family Compact"—you placed the Government in sympathy with the people, and you raised to office, men who had been pursued to the death, and conferred honours upon those to whom decapitation, had they been arrested, would at one period have been awarded. The result has been, what all wise men had anticipated, and what all good men had desired. In a late debate I heard the Prime Minister expatiate upon the necessity of dealing in reference to Canada, in the most liberal and conciliatory spirit, and when I heard him, I could not refrain from exclaiming, "Oh! that for Ireland, for unhappy Ireland—Oh! that for my country, he would feel as he does towards Canada, and in its regard act the same generous part!" That prayer which rose involuntarily from my lips, I now—yes, I now venture to address to you. The part, which in Canada you have had the wisdom and the virtue to act, have in Ireland, (but oh! without a civil war!) have the virtue and the wisdom to follow. Rid, rid yourself in Ireland of "the Family Compact." Banish Orangeism from the Castle, put yourselves into contact in place of putting yourselves into collision with the people. Reform the Protestant Church, conciliate the Catholic priesthood, disarm us, but not of the weapons against which this measure is directed —strip us of that triple panoply, with which he, who hath his quarrel just, is invested—do this, and if you will do this, you will do far more for the tranquillization of Ireland, for the consolidation of the empire, and for your own renown, than, if you were by Arms Bills, and by coercion acts, and by a whole chain of despotic enactments, to succeed in inflicting upon Ireland, that bad, that false, that deceptive, that desolate tranquillity which the history of the world, which all the philosophy that teaches by example, which the experience of every British statesman, which, above all, your own experience should teach you, is more to be followed by calamities greater than any, by which it was preceded.

Mr. *T. B. C. Smith* (Attorney-general for Ireland) having, in connection with the noble Lord the Secretary for Ireland, brought in the bill, trusted this House would permit him to state the grounds on which it had been founded. His right hon. Friend who had last addressed the House stated, that this bill was a violation of the principles of the British constitution, and that it was calculated to draw an unjust distinction between England and Ireland, and in describing the character of such a measure he called in to his aid the opinions of Lord Grey in the House of Lords, and Mr. Brougham in the House of Commons, in order to uphold the view which he took of the measure. He would not refer to the opinions of Lord Grey or of Mr. Brougham, or of Sir Samuel Romilly, in order to show whether or not a bill of that nature were opposed to the constitution, or fraught with injury to Ireland; but he would refer to the opinions of the right hon. Gentleman himself, and he would show, that when that right hon. Gentleman was a Member of the late Government, he was in favour of a measure similar to that which he now described as unconstitutional, and fraught with injury to Ireland. In 1838, the several statutes which regulate the keeping of arms and the sale of gunpowder in Ireland, and the importation of arms and ammunition to that country, were about to expire, and it became necessary to renew them, so that those who considered those statutes as opposed to the constitutional rights of the Irish people, and as calculated to draw an unjust distinction between England and Ireland, had an opportunity of opposing their renewal. What course did the right hon. Gentleman take when the bill for the purpose of renewing those provisions were introduced by Lord Morpeth? The bill was read a first and second time, and it was then withdrawn for the purpose of making way for another bill consolidating the laws on the subject, which bill was also read a first and second time. That bill was eventually withdrawn in consequence of the late period of the Session, and the original bill, which had before, at an earlier period of the Session, been introduced, was again brought in, and went through all its stages; during which progress the right hon. Gentleman who had last spoken never opened his lips. Yet the right hon. Gentleman said that the measure now brought forward was a violation of the British constitution—that it was a measure fraught with injustice to Ireland. Yet, notwithstanding that the right hon. Gentleman had permitted a similar measure to pass in former years without a word of opposition, he had now the assurance—he used the word in a parliamentary sense—to charge the present Government with bringing forward an Arms Bill. He would remind the right hon. Gentleman of other facts which would astonish the House. At the time to which he (Mr. Smith) had referred the right hon. Gentleman was not a member of the Government. But, in 1839, the right hon. Gentleman became the President of the

Board of Trade—in 1840 this bill was brought in expressly by Lord Morpeth. It was read a second and third time, and yet the right hon. Gentleman never opened his lips against it. He might be told that the right hon. Gentleman did not know what were the existing provisions of this law in Ireland with respect to fire-arms; but the right hon. Gentleman was not singular in the course which he pursued, for there was not a single Member from Ireland who, in 1838 or 1840, ever opened his lips against any of these Arms Bills, in any stage of their progress. He now came to dates of greater importance, namely, 1841, when the late Government were in office. Lord Morpeth brought in a bill in 1840, not simply to continue the existing law, but to make it more stringent in some important particulars. By the statute passed in 1807, any person seeking to register fire-arms must give a notification respecting the fire-arms he was desirous to keep, and his application was to be decided on by the magistrates at the quarter sessions. Now, the law of 1807 was considered defective in respect of exercising sufficient control to prevent improper persons from the possession of fire-arms. Accordingly, his right hon. Friend the Member for Clonmel, the late Attorney-general for Ireland, brought in, conjunction with Lord Morpeth, a bill to amend the law in those particulars. By that bill it was required that ten days' notice should be served previous to the commencement of the quarter sessions, by every person applying for a licence to keep arms. This notice was to be served on the clerk of the peace, who was required to prepare a list of those applicants seven clear days before the quarter sessions, and a copy of which list was to be furnished to every justice of the peace applying for the same. It was also provided, for the purpose of more effectual control, that no notice should be served by the person applying to register arms, unless in that division of the county in which he resided; and it was provided that the assistant-barrister should specify the several days on which notices respecting the registration of fire-arms would be gone on with. These provisions were made for the purpose of establishing additional checks, and affording the magistrates the opportunity of making strict inquiry with respect to persons seeking to register fire-arms; and this act also contained provisions providing for the continuance of all former enactments, down to the close of the present Session. The right hon. Gentleman opposite was then Vice-president of the Board of Trade, and this bill, brought in by the late Attorney-general for Ireland and Lord Morpeth, was suffered by the right hon. Gentleman to pass through every stage, from its original introduction to its final sanction by the House, without either he or any other Irish Member uttering one syllable against the measure. What made this more remarkable was, that the hon. Member for Montrose made some observations against the bill, but he was not supported by any Irish Member; so that if the hon. Member for Rochdale had been in the House at that time he would have been, so far as the Irish Members were concerned, without a seconder to his motion, that the bill be read a second time that day six months. At that late hour he would not trouble the House by going into any lengthened detail of crime in Ireland. The returns were on the Table of the House, and looking at those crimes usually resulting from the use of fire-arms, it would be found that in 1837 the number of these crimes was 1,304; in 1841 it was 832, and the amount exceeded this in a small degree for a similiar period in the present year. [Lord *Clements*: "Are these returns furnished by the police?"] They were the returns furnished by the constabulary of offences of the description he had stated, and he thought it more satisfactory to refer to them than to the returns of committals and convictions. Those returns were signed by Colonel Macgregor, and were vouched for by him, and he was sure that the House would require something more than a mere statement to falsify those returns. Now, with respect to crimes recently committed: in the month of January last, a Mr. R. Murphy, a land steward, was murdered in the county of Kilkenny. In the Queen's County a man named G. White was murdered by a gun shot wound. In another place a man named Slattery was murdered; and another murder was committed of a young man named M. Burke, who was only seventeen years of age, and was murdered because his father had taken some land from which the previous tenant had been ejected. It would be unnecessary for him to advert to the murders of Mr. Scully and of Mr. Gatchell, which had been alluded to by his noble Friend, the Secretary for Ireland. Now, these returns afforded no ground for saying that there was such a change in the state of Ireland, as that they should permit this law which had been in force for nearly half a century to cease to be in the statute book. The hon. Member for Rochdale referred to several provisions of this bill, but he thought it would have been a more just and proper course to reserve the objection to the details until the bill should be in committee. He should be able to satisfy the hon. Member with respect to the main principles and provisions of this bill, that, with the exception of two clauses, it was founded on the statute now in force in Ireland, and passed through that House with the unanimous concurrence of all the Irish Members on the two occasions to which he had already referred. But there was one of those clauses adverted to by the hon. Member for Rochdale and the right hon. Member for Dungarvan. By the 47th of George 3rd, it was provided, that every person making a pike, or any instrument to be used as a pike, without a licence from the Master-general of the Ordnance, should be liable, if convicted, to imprisonment for twelve months, or to transportation for seven years. Now he freely admitted, that in the present bill, instead of making the punishment as it was in the former bill, they had provided, that the punishment should be transportation for seven years, or imprisonment for three years, at the discretion of the judge. There was one portion of the measure which had been particularly objected to. But this portion of the measure was recommended in the evidence given by three police magistrates, who were examined before a Parliamentary committee in 1839. Mr. Tabiteau, being asked what alteration of the law he would propose, said he thought it would be very desirable to have a registry of all the arms of the different districts, in order that the chief constables should know what arms were in the several districts, and he proposed that the registered arms should be stamped. Captain Warburton and Captain Despard, also stipendiary magistrates, gave evidence to the same effect, and recommended a general registry of arms. The question which the House had to deal with now, was not as to the details of the bill, but whether it were right or not, that there should be an Arms Act in Ireland at all? If it was right to pass an act to prevent improper persons from having possession of arms, it was also right to make the act effectual for the proposed object. If there was a necessity, arising out of the peculiar circumstances of Ireland, to control what was called the common law right, and if this necessity was recognised by that House, it was right that the bill should be made effectual for its objects. The right hon. Member for Dungarvan had stated, that the necessity for this legislation had arisen from the course pursued by the present Government, and the right hon. Gentleman had suggested, that if what he called justice was done to Ireland, any measure of this kind would be unnecessary. It was easy to call for measures of justice, but before they entered into an argument of the question, the right hon. Gentleman should first have defined to them what he meant by justice to Ireland. Now, he could not help observing, that the year after that in which the letter of her Majesty's Government—referred to by the right hon. Gentleman—had been written, the Precursor Association had been established in Dublin. Now, what was meant by "Justice to Ireland" by those individuals who were supposed to speak the sentiments of the popular party in Ireland? They would first deprive the Established Church of the provision made for its maintenance. [Mr. *Sheil :* No, no.] He was glad to hear the right hon. Gentleman deny it, for if he thought otherwise, it would be at variance with the evidence. But it was to be considered what were the opinions of those who were striving to effect the Repeal of the Union, and what did they consider to be "Justice to Ireland?" First, the entire abolition of the tithe rent charge—next universal suffrage, so that every man unconvicted of crime, or not suffering under mental aberration, should be entitled to the franchise. The right hon. Gentleman had asked the Government where was the Registration Bill for Ireland? But if it was brought forward, he should be glad to hear the right hon. Gentleman declare to what extent he was willing to confer the franchise. The next measure in the list of those measures which were called for as measures of justice to Ireland, was "fixity of tenure," and which, under that name, meant nothing else than a transfer of the fee simple of the landed property of Ireland from the landlord to the occupying tenant; and it was because it was so understood by the people, that the agitation was raised to the degree it had reached. The noble Lord the Member for Leitrim had asked the Government to amend the grand jury law, but the next measure called for as justice to Ireland, was the entire abolition of grand jury cess. Another measure in the catalogue of justice to Ireland was vote by ballot and the shortening of the duration of Parliaments: and the last, he believed, was the confiscation of the property of the absentees. The noble Lord the Member for Leitrim had adverted to some other matters which he considered necessary to attain justice for Ireland. The noble Lord had asked why the House did not deal with the question of tolls and customs. If the noble Lord considered a measure of the kind proper to be introduced, why did he not lay it on the Table of the House, and as he supposed he would propose to abolish them, he would be glad to hear the noble Lord explain how he was to provide compensation to those who would be deprived of their legal rights? The noble Lord proposed also that some measure should be introduced for the regulation of manorial rights; but if the noble Lord abolished every manorial court in Ireland, he would like to know where he was to find compensation to the Lords of manors and their seneschals, who would be deprived of their rights? He would not, at that hour, further trespass on the House. He trusted that the House, considering that the law now before them had been in force in Ireland for nearly half a century, and recollecting that it had, on many occasions, received the sanction of every representative from Ireland, from the conviction that such a law was essential to the preservation of life and property in that country—he trusted, that recollecting all this, the House would concur in allowing this bill to be read a second time. He would be prepared to go through the bill, clause by clause, and to satisfy the House in committee that the main provisions of the bill ought to receive their approbation. This bill would tend to the security and protection of the lives and property of the well-disposed and well conducted, and he was sure it would be received with satisfaction by many, who would not like to say so, as a measure contributing to their protection by placing a proper restriction on the possession of fire-arms, and providing that they should not be in the hands of improper persons. On these grounds he now asked the House to give his bill a second reading.

Lord *John Russell:* After the speech of the right hon. and learned Gentleman opposite, who has replied to that of my right hon. Friend, and who has based that reply upon what was done by the late Government, and very little indeed upon the merits of this bill, very little on its adaptation to the present state of the country. I trust the House will forgive me if I endeavour to set myself right, so far as I was a Member of the late Government, with respect to the part which I took, both as to this law and the general Irish policy of the late administration. No doubt it is true that in 1838 a bill was introduced, similar in many respects to that now before the House—no doubt it is true that in 1840 and in 1841 continuing bills were introduced, which maintained in force and effect the laws with respect to the possession of arms in Ireland. But, Sir, the whole policy with which these bills were connected was of a totally different aspect from that which is now being pursued. Sir, the late Government had to deal with a country which had long been misgoverned, in which not only the laws, but the habits and opinions of their administrators were at variance with the maintenance of order, and with the social happiness of the people. The change which was to be produced was to be a change inducing the people of that country to rest their confidence in the law, and in the administrators of the law—to induce them to rest satisfied that any injuries which they might receive would be redressed or punished by the due and impartial intervention of the law. Such a change—a change the most desirable in itself—was not to be effected by any single act of the Legislature, or by one or two, or three years of administration. It must be the work of various measures—of a considerable lapse of time—of the greatest caution, and I must add, of the kindest disposition of those who were entrusted with the administration of the law in Ireland. And in the mean time, after considering the best authorities upon the subject, my noble Friends the Marquess of Normanby and Lord Morpeth—with no dislike to constitutional proceedings—with no dislike to that just popularity which follows measures of confidence and conciliation—still deemed it their duty, and deemed it proper, to continue from time to time the laws which were in force with respect to the possession of arms in Ireland. Did they deem these laws constitutional? Far from it. They looked upon them as violations of the constitution. But they did not think that it was consistent with their duty, that while more beneficial changes were going on, those who were dishonest, those who were accustomed to disregard the law, should be allowed to continue active in assaults upon life and property, until the ultimate effects of these changes should have been realized. But what did the late Irish Government do? At this time of the night of course I cannot go into the particulars of our administration with respect to Ireland. Some of our measures were begun by my late lamented Friend Sir Michael O'Loghlen, a man whose name is now justly revered, but who at that time was the object of all kinds of virtuperation. His views were directed to the enforcing a constitutional and effectual execution of the law, but not by unconstitutional means to deprive the people professing any religion, or belonging to any party of the right of serving on the jury by which the wrongs of their fellow-subjects were to be redressed. This was one change to be effected. Another was the placing in the commission of the peace men who had the confidence of their countrymen. I have heard repeatedly the testimony of Irishmen, and Englishmen who had lived in Ireland, with respect to the disposition of the people if an outrage was committed—if even the life of one of a family was taken away by a barbarous and bloody assault—rather to trust to revenge than to look to and repose on the power of the law. I consider, Sir, that this unhappy state of things arose from the alienation between different classes of society. The Marquess of Normanby thought so too, and he considered that the placing in the commission of the peace of men who enjoyed the confidence of the people would directly lead them more and more to repose confidence in the law, and to abstain from their faction fights, and habits of personal revenge. But beyond this—with respect to the general administration of the law in Ireland, the Marquess of Normanby has, by command of her Majesty, governed in such a manner as to win the good feelings and sympathies of Ireland. Why, Sir, by such methods we might gradually but surely induce the Irish people to confide in the ordinary administration of the law, as it is usually administered in England, until from time to time you could let go and part with these extraordinary measures, which must be a reproach to this country, and which must be an ungrateful task to any person—I am sure it is to the present Government to bring forward. But when the right hon. Gentleman, the Attorney-General for Ireland, takes the Arms Act, and talks of it as a measure of the late Government, I ask whether, with reference to the general condition of Ireland, have the majority of the measures begun by the last Government been persisted in? I ask whether or not, the sympathies of the people of Ireland have been gained. Whether in the choice of persons you have made to place upon the bench of justice, you have selected those who have felt with and for the great majority, and for the preservation of their liberties; or only those who have felt with a bare minority, and wished for the curtailment of the people's liberties. I ask, with respect to the magistracy, whether even now you are not pressing on measures the most dangerous in their tendency, calculated, which I know you do not wish to add to that feeling of alienation which at least did something to do away with? If you deprive some men of their power as magistrates because they have attended meetings, which the highest law authority in Ireland seems to declare not to be illegal—if you thereby invite martyrdom upon the part of others for similar acts—if you place the popularity of men known to the people upon being deprived of the commission of the peace—you will again alienate all those who have to administer justice from the people, amongst whom it is to be administered. Don't tell me that the Arms Act rests entirely upon any precedent afforded by the late Government. If you imitate the one proceeding of the late Government, I wish you would imitate them in other respects. When the right hon. Gentleman opposite first made his appointments with respect to Ireland—wishing, as I did, to further all feasible means to tranquillize the country—and fearing, as I did, a change from a party favourable to the great majority of the people, to one adverse to the great majority. I took the earliest opportunity of expressing the satisfaction I felt at the appointment of the noble Lord as Chief Secretary for Ireland. I knew less of the noble Lord, the Lord-lieutenant, but from what I did know, I believed that he would act upon the principles of justice. But with respect to the noble Lord, the Secretary for Ireland, all that I have seen of him induces me to believe that his wishes are to govern Ireland upon principles of justice and conciliation. What he declared at his election at Cornwall, I have every reason to believe was his sincere wish;—but, I know not how it is—or from whence it proceeds—but, while from certain measures of the late Government, there has been no departure—yet, with respect to the great mass of the administration, I ask whether the Government is, or is it not the Government of a small minority, from which the great majority of the people are excluded. My right hon. Friend has quoted, and quoted with great propriety the example of Canada—there you had people who were suspected, perhaps most unjustly, of having tampered with rebellion. Yet you did not make that an objection to place in their hands the executive power of Canada. Well, is it not natural that Irishmen, men who have worked their way to the head of the bar by their energy and talents, should feel that they have not a Government equally impartial as that of Canada? Must not this be at once admitted to be a grievance and a wrong? I have mentioned Sir Michael O'Loghlen. I can speak of him with praise, for, alas! he is no more; but if he were now alive, would he have the least chance of being promoted to the judgment seat? Then, I ask, is this a just and wise Government? And, above all, is it wise, though you may establish a necessity for the introduction of an Arms Bill, that you should bring forward an Arms Bill, and no other measure, in this Session of Parliament? For my part, I can say, that as I was looking to-day over one of the drafts of the bill, I saw objections I made to many clauses, but that they were over-ruled by the evidence of many well-informed persons as to the condition of Ireland, and that the necessity for some such measure was made out. Well, seeing that that necessity continues, and not being aware what serious mischiefs may arise from the refusal, I cannot give my vote against the second reading of this bill. But really if we are told, that it is the intention of the executive Government to propose such plans, and such plans alone—if we are told that this is a sample of the measures by which Ireland is to be governed, I think before long that this House should address the Crown, or take some mode or other of expressing their opinion as to the Government of Ireland. I should be ready in any way to meet the attempts made to repeal the Union. I think, if brought forward constitutionally, and by petition, that the arguments are so strong in favour of a maintenance of the Union, that I should have no fear of discussing the motion made in this House. I think the Union may be fully maintained, not alone as a benefit to England, but it may be shown, that it would be a serious misfortune to Ireland herself if that Union were dissolved. If it be attempted to repeal it by force, why then it must be maintained by the force and authority of the law and of the executive Government. But as long as those seeking the Repeal of the Union appeal to the sentiments and feelings of their own countrymen, so long I think should you forbear from adding to the irritation of the moment, and from adding to excitement amongst a people already too greatly excited; so long should you not attempt by deprivations and dismissions which, as effectual measures of discouragement are nothing—but which as a means of excitement and irritation, and an encouragement to others to court such notoriety, answer such an end perfectly, and have a directly opposite effect from that of putting an end to the agitation for the repea lof the Union. Sir, let me, before I sit down, allude to what I think was the unfair treatment which the late Government met with, with respect to the outrages which took place in Ireland. I have stated our general policy; but, owing to the social disorders of Ireland, which date so far back as 1760, which have now lasted for the greater part of a century—there are outrages with respect to the possession of the land—there are murders committed in some parts of the country, which are the most serious misfortune and calamity to that country. It was the custom of those in opposition in our time to lay all those outrages to the account of the Government, and at their party meetings and their dinners they hailed with a sort of cheer the arrival of the news of any fresh horrible outrage or murder. Sir, I believe it is now confessed, when no party purpose is to be gained; and the right hon. Gentleman who has spoken last has given us some proofs of it—that these murders, horrible as they are, occurring one after another in the course of a month, and two or three at a time, are not the effect of any political or party movement, but arise from the social condition of Ireland. Those who have spoken to-night have said, and said most truly, that it ought to be the object of this House to endeavour by every means in their power to improve the condition of that people. Sir, although the methods which the late Government adopted may not have been the best which could be adopted. I am not speaking in defence of their wisdom, but this I will say, that of all the parts of their Government there was none which occupied so much of their serious and constant attention as the state of Ireland,—I still think the opposition we then met with from the party that attacked our conduct was most unfairly directed both against our measures and against our administration of Irish affairs at that time. But it is a consolation to me, and it ever will be a consolation to me, that on more than one occasion that generous and warm-hearted people, believing that we really did wish their prosperity, rewarded us with an unusual, perhaps an undeserved degree of confidence. I was often doubtful whether, finding our measures were so often defeated in this House, and that we could not even prevail on it to grant the same municipal franchises extended to the other parts of the empire, whether, finding that we could not carry the measures to which they and we were attached—I have often wondered that they continued such a degree of confidence as they gave us, and whether it were not our duty to lay before them the whole state of the case, and to say that we were no longer entitled to their confidence; but I do think it a remarkable proof of the generous disposition of that people, that although our legislative measures were defeated, yet by means of our administration—by the novelty of a fair and impartial administration of affairs in Ireland, that confidence and support were never withdrawn from us while we remained in power. I do believe that in the course of a considerable period those reforms which we begun did much to improve the social condition of the people; and most disappointed I shall be if I find that the present Government show not only a disposition to refuse the measures which they consider inconsistent with their principles, but if I find that, beside this, they are going back towards the point from which we commenced, and that without any fear (for I have no fear) of civil war or of insurrection, the result of their Government is, that the people of Ireland and England are more than ever alienated from each other, and that the Union which by acts of Parliament is established, is not established in the hearts of the people.

Debate adjourned.

House adjourned at one o'clock.

HOUSE OF LORDS,

Tuesday, May 30, 1843.

MINUTES.] BILLS. *Public*—1ª· Limitation of Actions (Ireland).

Private.—1ª· Burry Navigation; Glasgow Marine Insurance Company; Southampton Cemetery; Kentish Town Paving; Dowager Countess of Waldegrave's Estate; Parish of St. Michael's (Limerick) New Church.

2ª· South Eastern Railway Extension; Liskeard and Caradon Railway; South Eastern and London and Croydon Railway Extension; Birmingham and Gloucester Railway; Belfast Harbour; Bannbridge Roads; Scarborough Harbour; Piel Pier; Sowerby and Soyland Inclosure.

Reported.—Drumpeller Railway; Belfast and Cavehill Railway; Bristol and Gloucester Railway.

3ª· Bethnal Green Improvement; Portsea Improvement; Glasgow and Three-Mile-House Road; Cliffe-cum-Lund Inclosure; Todhunter's Divorce; Glasgow City and Suburban Gas.

DISMISSAL OF LORD FFRENCH (IRELAND).] The Marquess of *Clanricarde* rose to put a question to the noble Duke opposite, of which he had given the noble Duke notice, though he had not given a public notice, because he had not had an opportunity of doing so. The matter, however, was so serious, that he thought it his duty to put the question without the form of a public notice. He referred to a letter which appeared in the public papers, which had been addressed to Lord Ffrench from the Lord Chancellor of Ireland.

The Marquess of *Londonderry* rose to order, but after a short conversation,

The Marquess of *Clanricarde* proceeded. It was competent to him at once to move for the production of the letter. Nobody could object to such a motion; but he had no wish to make it, as the letter was already before the public, and he himself was well aware that the letter was authentic. Though a motion might hereafter be necessary, he would at present confine himself to the question he wished to put. He was afraid, that in the first place, though for his own purpose two or three extracts would be sufficient, he must trouble their Lordships with the whole of the letter, lest he should be charged with garbling it; and though its terms might be known to their Lordships, he hoped to be allowed to read it at length. The letter was addressed to Lord Ffrench, and was signed by Henry Sugden, secretary to the Lord Chancellor of Ireland, from which functionary it emanated. It was as follows:—

"Secretary's-office, Four Courts, Dublin, May, 23. My Lord,—I have the honour to acknowledge your Lordship's letter of the 19th inst., stating that it was your intention to attend the Repeal meeting at Caltra, as well as that which is to be held in Athlone, and am directed by the Lord Chancellor to inform your Lordship that he regrets he has felt it his duty to direct your Lordship to be superseded as a magistrate for the county of Galway. It has been his earnest desire not to interfere with the expression of opinion by any magistrate in favour of Repeal, although from his first arrival here he deemed it inconsistent with the determination of her Majesty's Government to uphold the Union between Great Britain and Ireland, to appoint as a magistrate any person pledged to the Repeal of that Union. Her Majesty's Government."

And now came the sentences to which he begged to call the attention of their Lordships,—

"Her Majesty's Government have recently declared in both Houses of Parliament their fixed determination to maintain the Union, it becomes the duty of the Members of the Government to support that declaration. The allegation that the numerous Repeal meetings are not illegal does not diminish their inevitable tendency to outrage; and, considering the subject in all its bearings, it is the opinion of the Lord Chancellor, that such meetings are not in the spirit of the constitution, and may become dangerous to the safety of the State. It is necessary, therefore, that the Government should be able to place a firm reliance on the watchfulness and determination of the magistracy to preserve the public peace. A magistrate who presides over or forms part of such a meeting can neither be prepared to repress violence, nor could he be expected to act against a body for whose offence he would himself be responsible. To such persons the preservation of the public peace during the present agitation cannot be safely intrusted. Your Lordship's determination to preside over such a meeting, immediately after the declarations in Parliament, proves to the Lord Chancellor, that the time has arrived for evincing the determination of this Government to delegate no power to those who seek, by such measures as are now pursued, to dissolve the legislative union. To allow such persons any longer to remain in the commission of the peace would be to afford the power of the Crown to the carrying of a measure which her Majesty has, like her predecessor, expressed her determination to prevent. This view of the case, which the step taken by your Lordship has forced upon the attention of the Lord Chancellor, will compel him at once to supersede any other magistrates who, since the declaration in Parliament, have attended like Repeal meetings. He thinks that such a measure is not at variance with the resolution of the Government, whilst they watch over public tranquility and oppose the Repeal movements, still to act with forbearance and conciliation, and to devote their best energies to improve the institutions, and promote the prosperity of Ireland.

"I have the honour to be, my Lord, your Lordship's most obedient servant.

"Henry Sugden, Secretary."

With a great part of this letter he had no fault to find; there were but three sentences in it upon which he thought it necessary to comment, but those three sentences contained the whole substance of the letter, and conveyed nothing more than that Lord Ffrench had been dismissed from the magistracy, because he had not read, marked, and digested that declaration which the Lord Chancellor of Ireland stated some Minister of the Crown had made in his place in Parliament as to her Majesty's intentions with regard to Ireland. He presumed this act to be the act of the Irish Government, because he knew from official communications which had been made to him, that at the same time Lord Ffrench was removed from the magistracy, he was concurrently and simultaneously dismissed from the deputy-lieutenancy of the county of which he had the honour to be the lord-lieutenant. He therefore wished to know on what ground or right it was, that the Irish Government assumed, that a single declaration in Parliament formed a proper or sufficient ground for such a proceeding, and on what principle Lord Ffrench or any other individual in Ireland could be held to know what passed in Parliament. The question, therefore, he wished to ask was, whether any communication of any message from the Throne, of any Speech from the Throne, or of any speech in Parliament, had been made to the Irish Government, or published in the *Gazettes*, either of London or Dublin, or in any other official form?

The Duke of *Wellington*: Her Majesty's servants in Ireland were instructed, on their appointment, of the desire of her Majesty's Government to maintain the Union with Ireland unimpaired. There have been no other instructions issued to her Majesty's servants in Ireland on that subject.

The Marquess of *Clanricarde* was not surprised at the answer he had received, but he must enter his protest against the acts recently done by the Irish government. He thought—

The Earl of *Wicklow* rose to order. There was no motion before the House. The question had been put by the noble Marquess and answered by the noble Duke, and, therefore, precisely on the same grounds raised on a former evening, the noble Marquess was clearly out of order.

The Marquess of *Londonderry* considered the course intended to be now pursued was quite irregular. The noble Marquess had read a letter from a public newspaper, instead of moving in proper course for its regular production. He had then put a question upon that letter, which had been answered, and he now wished to enter upon a discussion of the whole subject without notice.

The Marquess of *Clanricarde* meant to conclude by moving an humble address to her Majesty that the letter be laid before the House, and then he should be strictly in order.

The Duke of *Wellington* did not know that there would be any objection whatever to the production of the letter, but he thought the noble Marquess ought to confine himself to his notice. He had given notice of his intention to ask a question, which had been answered. He repeated that he did not know that there would be any objection to the production of the letter, but he wished to converse with other persons on the subject before he consented to it.

The Marquess of *Clanricarde* said, he would not persist in his motion for the production of the letter were it not that the state of Ireland was most alarming. He was not expressing, nor anxious to express, any opinion on the dismissal of the magistrates, and he thought what had fallen from the noble Duke might have great weight with their Lordships in coming to a decision upon the motion which he was forced to make, in order to offer a few observations on a matter which, in his judgment did not admit of a moment's delay. This letter only came to his knowledge on Saturday last, and as the House did not meet yesterday he was not only deprived of giving notice, but more than an usual time had elapsed. The state of Ireland was such that every moment was of great and grave consequence. In this matter he thought the Irish Government had made an unfortunate, a grave and a serious mistake. He was not about to discuss the policy of the dismissal of the magistrates who had taken part in the repeal agitation; but he certainly thought the steps which had been taken, and that, too, on the mere authority of the public press, as to a Ministerial declaration, were contrary to the constitution, to the principles of the laws of Parliament, and to the principles of common sense.

The Marquess of *Londonderry* rose to order. Let the noble Marquess confine himself to giving a notice of motion, and every noble Lord would be ready to come down and hear his speech on a future occasion.

The Marquess of *Clanricarde* contended that he was perfectly in order, and he promised their Lordships that he would narrow within the smallest possible compass the observations which he felt it necessary to make. He repeated, that the steps which been taken, and the grounds upon which the dismissals had taken place, were contrary to every rule of law and constitutional principle. There was, as he had already said, a great part of this letter with which he found no fault—on the contrary, in which he entirely agreed. He did not want to say anything about the question of the Repeal of the Union, but this he would say, that whether for the purpose of maintaining the Union or effecting its repeal, there could be no doubt entertained by any reflecting man that the assembling of great bodies of men throughout the country, creating disturbances, and alarming the minds of the peaceable subjects of the Crown, was in itself, on the broad principle, an illegal act. He thought that such assemblages, whatever might be their object, were illegal, and therefore he was of opinion that it might be very right and proper for all magistrates to do everything in their power to discourage and discountenance such meetings; but that was a totally different question from that on which Lord Ffrench had been dismissed. The letter of the Lord Chancellor of Ireland stated, that these assemblies had a tendency to outrage, and were therefore illegal. [“ *No, no.*”] He begged pardon, the letter stated

> “ The allegation that the numerous Repeal meetings are not illegal does not diminish their inevitable tendency to outrage ; and, considering the subjects in all its bearings, it is the opinion of the Lord Chancellor that such meetings are not in the spirit of the constitution, and may become dangerous to the safety of the State.”

There was no question that, if one great meeting was held for the purpose of expressing a strong popular opinion, it would, in the common sense acceptation of the term, be legal. But, in Ireland, there were held meetings of men collected by hundreds of thousands from all parts of the country, and he for one, thought that the time had come when the Irish Government were bound to take some step on the subject. And he thought they had a plain and simple course to pursue. He wished, if he could, to keep quite clear of the question of Repeal; but he must, in passing, remind their Lordships, that not a month since he made use of warning language to them upon the subject, as far as became so humble an individual as himself. It was no doubt very rash in him to attempt to prescribe before he was regularly called in; but he must say he was of opinion that the Irish Government might very fairly have issued a proclamation stating the simple truth, that those meetings were calculated to disturb, and did disturb and alarm the minds of the quiet and peaceable subjects of the realm—advising such persons to discountenance these meetings, and then they might fairly enough, if they had so chosen, have desired and enjoined all magistrates not only to discountenance, but to keep away from such meetings. If this had been done, if the opinions of the Government had thus been set before the magistracy, and that then after such warning any magistrate had attended a Repeal meeting, he would have had a warning of his peril and must have taken the consequences of his own act upon himself. However, in this instance nothing of this kind had been done; he did not mean to decide whether the desiring the magistrates to keep away from these meetings altogether, would or would not be the wisest possible course. A question might be raised, into which, however, he would not now enter, as to how far it was desirable while such meetings were held at all, to prevent those persons from attending them, who might naturally be expected to be more moderate and sober-minded, who might keep the assemblage from going too far, and prevent their being delivered over to violent and reckless men. If such a course as that which he pointed out had been pursued, the magistrates would have been fairly treated, and have had due notice given them of what the Government expected they should do and not do; but how stood the case? The Irish Government had not waited for any outrage; there had been nothing of the sort; there had, indeed, been one outrage, but it was not connected with the subject of these meetings, nor could it be fairly considered as connected with the meetings at all. At the meetings there had been no illegal act committed, no breach of the peace whatever, everything had gone on quietly. It was not, therefore, upon the commission of any violent act, not upon the occasion of any particular speech, but merely upon a declaration made by a right hon. Gentleman in another place, and by the noble Duke in that House, that the Lord Chancellor of Ireland had thought it right at once to call upon all the magistrates of Ireland to avoid these meetings, and not only to call upon them not to attend or preside over these meetings, but to break every magistrate who attended any one of the meetings after this declaration had been made by certain Ministers in their places in Parliament. That such a proceeding was opposed to all constitutional theory and practice must be evident. That assuredly the mere speech of a Minister of the Crown, however exalted his position, the mere speech of a Minister in the House of Commons or the House of Lords, was not the form in which a Message from the Crown, in which the wishes of the Government, should be conveyed to the magistrates of a country. But even were it so, did any one ever hear of such a thing, in a free country, as the Ministers of the Crown, advising the Sovereign to instruct them to convey her opinion upon a subject in Parliament in this fashion, and with a view to such results? As to the question of Repeal itself, he would not hesitate to say that in his opinion, the Repeal of the Union would be the very worst thing that could possibly happen to Ireland; and as to the manner in which, and the men by whom that Union was effected, it appeared to him that the very constitution of the Irish Parliament at the period, which some made an argument against the Union itself, it seemed to him one of the strongest reasons against restoring a separate Legislature to Ireland. What was the effect and the manner in which her Majesty's opinion upon the subject had been made use of by Sir Robert Peel in the other House of Parliament? He had no right, indeed, to comment upon that proceeding, as it took place in another House, any more than the Lord Chancellor of Ireland was justified in acting upon it. But what was the effect of that proceeding? It was to bring her Majesty's name and authority directly in collision with the opinions and feelings so generally declared by the people throughout a great part of Ireland, and in this he (the Marquess of Clanricarde) conceived there was no small impropriety. Again, it was contrary to all Parliamentary law, for the Lord Chancellor of Ireland, or any person out of the Houses of Parliament, to presume to act at all upon anything that had been stated in Parliament. How should persons out of Parliament know what passed in Parliament, but by a direct breach of Parliamentary law? A very absurd law it was, no doubt—a law daily violated, and very rarely carried into effect at all, even for a half hour, but then it was a law; and, assuredly, no man ever heard before of a debate in Parliament being binding upon the people of the country; of penalties being attachable to persons for the infraction of what was said in either House of Parliament. It was a positive fact well known to those connected with Ireland, that a great many magistrates did not take in the English newspapers, and though the debates were reported with extraordinary precision, they were not always strictly accurate; but, if accurate, he must say, it was very hard to break a set of magistrates because they had not read a certain speech delivered on a certain day. He repeated that this had been a most unfortunate proceeding—a proceeding which had set the people of Ireland more in opposition, because it showed irritation and rashness, and the total absence of that real deliberation, judgment, and dignity, which gave weight. Look to its consequences. Already they had seen some volunteers who had come forward to surrender their commissions. This was not unnatural; but he hoped the example would not be carried out to any further extent. The first effect had, however, been shown; and though he did not wish to take any credit for his own political friends, it was impossible to deny that during the last ten years, the confidence of the people in the impartial administration of the law had greatly increased. Now, if all those magistrates holding certain opinions withdrew from the bench, what would be the feelings of the people with respect to the administration of justice? He was aware he was led into observations he wished to avoid, though he desired to confine himself to the letter of the Lord Chancellor of Ireland, which in his judgment, was a most improper and unfortunate mode of proceeding. He did not think it wise to dismiss any magistrate unless he had been present at a meeting where language of a treasonable and dangerous tendency had been used, and had made himself a party to the use of that language by presiding at the meeting. But upon this point he was not now speaking; he was merely drawing their Lordships' attention to that act of the Irish Executive, which was founded on a speech in Parliament—namely, the dismissal of a magistrate. This he thought an unfortunate thing; and he did hope, that the Government on this side of the water would take immediate steps to remedy, as far as it was in their power, this great and grievous mistake. There had not been any disposition in Ireland or in Parliament to view with hostility or with any other but a good feeling, the distinguished personages who had been sent over to Ireland to fill the highest offices there. There had been no opposition in Parliament or in Ireland to those appointments, and he regretted a step which would set the Irish Government directly in collision with the popular feeling of the country. The noble Marquess concluded by saying that he was quite ready to withdraw his motion after what had fallen from the noble Duke opposite.

The Duke of *Wellington* was sure their Lordships would recollect the state of anxiety which prevailed in this country, as well as in Ireland, the scene of the present agitation, at the period when questions were put to the Government in both Houses of Parliament, on the subject of the measures adopted by certain persons in Ireland to create agitation with respect to the Repeal of the Union;—a repeal to be brought about not by the deliberations and decisions of that and the other House of Parliament—not by a law to be passed by the Legislature, but by agitation, and eventually, by force and violence. It was impossible to describe the anxiety felt throughout the public by this state of things; and the answer given in both Houses of Parliament to the questions he had referred to, were to the effect, that the Government had paid, and were continuing to pay, the utmost attention to the subject, and that measures had been adopted on both sides of the water to enable the Lord-lieutenant and the Government of Ireland to preserve the peace of the country, and that her Majesty's servants were determined to adopt all measures necessary to preserve inviolate the legislative union of the two countries. The individual who now addressed their Lordships had not then had an opportunity of taking her Majesty's pleasure on the subject, and went no further than he had just stated; but his right hon. Friend who addressed the other House of Parliament on the subject stated that it was her Majesty's intention to act precisely on the declaration of her royal predecessor, and to maintain inviolate the legislative union of the two countries. The declarations made in Parliament were matters of public notoriety, and gave the utmost satisfaction, not only in this country, but also in Ireland; for though there were thousands who attended those meetings in Ireland for the purpose of agitating for the repeal of the Union, it must not be supposed that there were not also thousands—that there was not an equal number, or, as he believed, a majority, who were of a different opinion in that country. Though the measures which the noble Marquess opposite had alluded to, were not adopted in Ireland (and it was not necessary for him to enter upon that subject, as the noble Marquess did not impute any blame to the Government for not having adopted them), yet the anxiety of that part of the population in Ireland, who were opposed to repeal, was greatly relieved by the declarations of her Majesty's Ministers in Ireland, which were matters of notoriety in this country and in Ireland. These meetings still continuing, notwithstanding the declarations he had adverted to, and continuing under the presiding influence of magistrates in her Majesty's commission of the peace, the Lord Chancellor of Ireland had been instructed to adopt every constitutional means in his power in order to maintain inviolate the legislative union between the two countries. When the Lord Chancellor had the satisfaction of learning the declarations of her Majesty's confidential servants in Parliament, he thought it still further necessary to maintain inviolate the legislative union. The Lord Chancellor found, then, notwithstanding these declarations, which were so notorious, and had given such general satisfaction, that magistrates continued to preside at these repeal meetings, and to call them together; and these magistrates were not drivellers, but must have known (what was notorious to the public) that which passed in both Houses of Parliament. They must have known, that her Majesty's confidential advisers had declared it to be the determination of the Government to maintain inviolate the legislative union, and yet they persevered in holding these meetings, which, in addition to other circumstances which proved their illegality, had a tendency to lead to outrage in every case, and had, in fact, led to outrage in one remarkable instance, at Clones. As the people of the country were divided in opinion on this question, these meetings were calculated to lead to outrage in every case; and if lives were lost, those would be liable to the consequences who had called the meetings together which had occasioned such a misfortune. Under these circumstances, it became the duty of the Lord Chancellor to give a check to these meetings, by letting the magistrates know who called together and presided at meetings calculated to lead to outrage and disorder, that they were not fit to be trusted with the preservation of the public peace, the more particularly after the notoriety of the declaration, that it was the determination of the Crown to maintain inviolate the legislative union. It was the Lord Chancellor's duty, then, to take measures to prove to the magistrates, that they could not remain in the commission of the peace if they presided at, or promoted, such meetings. Under these circumstances he conceived, that the Lord Chancellor was entirely justified in the course he had taken, and if the noble Marquess should call for the papers, which he understood were to be produced in another place, he should have no objection to lay them on the Table of the House; but he could not allow the imputation thrown out against the Lord Chancellor of Ireland to remain unanswered.

The Earl of *Glengall* merely wished to correct an error which his noble Friend opposite had inadvertently fallen into with respect to the letter of the Lord Chancellor of Ireland. It was evident, from the contents of the document read by his noble Friend, that this was the third letter on the subject. The Lord Chancellor first wrote to Lord Ffrench. To this there was a reply from that noble Lord, and the letter read by his noble Friend was evidently an answer to that. This showed that the proceeding with respect to Lord Ffrench had not taken place without notice.

Lord *Campbell* was more and more convinced, from every reflection he could give to the subject, that the preservation of the legislative union was essential for the happiness of England and Ireland. The very notion that Ireland should have a separate Legislature, independent of the Imperial Legislature was most absurd, and if carried into effect would be productive of the greatest misery to both countries. Under these circumstances all measures necessary for the preservation of the Union would have his hearty support. At the same time he felt bound most deeply to deplore and condemn the dismissal of Lord Ffrench on the grounds stated in the letter of the secretary of the Lord Chancellor. The grounds there alleged showed, that the step taken was most unjust and highly inexpedient. All that was there charged against Lord Ffrench was, that he was about to attend Repeal meetings at Caltra and at Athlone. If these meetings were likely to be attended with the commission of outrage, and, consequently, a breach of the peace, there could be no doubt on the subject; but it did not follow that meetings held for the purpose of petitioning Parliament for a Repeal of the Union were in themselves illegal. For his own part, he denied they were so in themselves. The people had a right to meet peaceably to petition the Throne and the Houses of Parliament on any legislative question. The legislative union was enacted by act of Parliament, and whether right or wrong was not the question? Could it not, he would ask, be repealed by act of Parliament? He deeply regretted the agitation on this subject. He should rejoice to see any measure—any constitutional measure—for its repression; but such a step as had been taken by the Lord Chancellor had only the effect of irritating and provoking, and of rendering the agitation more mischievous and formidable. He apprehended, that there might be meetings lawfully assembled to petition for the Repeal of the Union; and a magistrate, if he attended them, was unconstitutionally dismissed from the commission, unless he had done something which rendered him unworthy to be trusted with the administration of justice. Was it to be said, that merely attending a public meeting, when no violation of the peace was likely to take place, was an illegal proceeding. But he had the high authority of Lord Chancellor Sugden for saying, that meetings might be held to petition for a Repeal of the Union, without their being illegal. That was, that *per se* the discussion of the Repeal of the Union was not illegal. He referred to this opinion without the slightest description of disrespect to the most learned lawyer who now administered the law in Ireland with great patience and impartiality, to the general satisfaction of the profession and the public in that country. He had the very high authority of that learned person for declaring that, previous to the declarations that had been made in both Houses of Parliament, and to the expression of opinion that had been attributed to her Majesty, there was nothing illegal in attending these meetings. It must be in the recollection of most noble Lords, that in 1834, a motion was made in the House of Commons for the Repeal of the Legislative Union between England and Ireland, which was rejected by an overwhelming majority. There had also been a motion made in that House in the year 1713, for the Repeal of the Union between Scotland and England, which was only lost by a majority of four in that House. There was nothing illegal, nor had it ever been held, that he had heard of, that there was any thing illegal in either of these motions. There certainly might be a law made to make it sedition, or even high treason, to propose or to meet for the purpose of petitioning for a Repeal of the Union. Such a law would be a most inexpedient measure; but until there was such a law, it could not be considered any violation of the law to meet for the purpose of petitioning for the repeal. If that was illegal, why was it not declared so long ago? Why were not some measures taken to punish those who violated the law. But he took upon himself to say, that to meet for the purpose of petitioning for the repeal of the union, was not a violation of the law. If that were the case, did the declarations of the Ministers in the two Houses of Parliament alter the quality of the act? Without resorting to the technical objection urged by the noble Marquess near him, that the magistrates in Ireland might not know of these declarations, he would ask did these declarations render illegal that which was before legal? Ministers might declare it unlawful to hold meetings to oppose their measures; they might have declared that the relief of the Roman Catholic subjects of the realm from disabilities would be a violation of the constitution; and that Protestant ascendancy was necessary to preserve the integrity of the empire. But if such declarations had been made, would it have been unlawful after that to meet for the purpose of petitioning for Catholic emancipation? The present Minister had declared, in another place, that he would stand by the Reform Bill. Would it now be unlawful to meet to petition that the Reform Bill might be repealed, and all the rotten boroughs restored to the privilege of sending Members to Parliament? He apprehended that, notwithstanding the declarations of Ministers, there would be no illegality in meeting to petition for these objects. He now came to the declaration of the Ministers of the Crown, and he must say, that according to all his notions of the constitution of Great Britain, that declaration was highly irregular —not on the ground that it tended to influence the debate or decision of the House on any pending subject, but on the ground that it was the declaration of the personal opinion of the Sovereign, for which the Minister was not responsible. It was totally different in principle from the answer made by King William to the address of both Houses, which was most constitutional, the Ministers being responsible for it, and liable to be impeached for anything improper in it. But the declaration to which he now referred, though, no doubt, conveying the sentiments of their gracious Sovereign on the subject of repeal (sentiments responded to by all the community in this country, and by a majority, he trusted, in Ireland), was an irregular proceeding in a constitutional point of view, and might form a bad precedent for introducing the personal opinion of the Sovereign with respect to subjects on which the public were divided. It was clearly meant to be the personal opinion of the Sovereign, because Sir R. Peel intimated his own opinion; and the noble Duke opposite had declared the opinion of the Ministers; and then, in addition, they had the opinion and personal determination of the Sovereign expressed. This was highly irregular and unconstitutional, and calculated to lead to the most dangerous consequences, by way of precedent. But was it a reason, because such a declaration was made, that magistrates should afterwards be removed from the commission of the peace for attending repeal meetings? Could it be doubted, that before these declarations were made the personal opinion of the Crown, was in favour of the legislative union, and that the right hon. Baronet in the other House, and the noble Duke opposite, were determined to support that union by all constitutional means? He, therefore, submitted that the declarations made in the two Houses of Parliament formed no additional reason for the dismissal of magistrates; and he deeply regretted the grounds on which that step had been taken. He also thought it an inexpedient step in itself. It was neither a system of conciliation nor coercion; but rather one of irritation and provocation. Why should an act be done which would not lessen the influence of the party against whom it was directed? So far from proving a degradation, it would be looked upon by the people in a contrary light, and on these grounds he considered the course which had been pursued unadvisable and improper. If by conciliation order could not be preserved, then let a rigorous and firm course be resorted to, bnt irritation should be avoided, as it only tended to produce a vindictive feeling, and to add to the power of those against whom it was directed.

The Duke of *Wellington*, in explanation, said, that her Majesty's name had been used in connexion with her Majesty's reference to the declaration of her royal predecessor, a circumstance which the noble and learned Lord appeared to overlook, but which made a material distinction. He, in speaking of the dismissals from the magistracy, referred not only to the notoriety of the declarations which had been made in Parliament, but also to the tendency to outrage which was likely to be the result of such immense assemblages.

The Earl of *Charleville* said, that when his noble Friend opposite expressed his fears that these dismissals might establish a dangerous precedent, he could assure him that there was no fear of their so doing, for if there was any precedent of the sort it had already been established by the late Ministry. That Ministry had deprived Colonel Verner of the commission of the peace, because that gentleman had at a private party drunk a toast which it was supposed was calculated to produce feelings of irritation amongst those who were opposed to him in politics. They also dismissed Mr. Blacker, because that gentleman's wife, on the 12th of July, thought fit to wear an orange riband. It was clear, then that no precedent could be established by the dismissal of Lord Ffrench or the other magistrates. He would not enter into the question of the legality of those meetings. His noble Friend had spoken of the tranquillity of those meetings, and he would admit that no actual outrage had taken place, except what occurred at Clones, and the unfortunate accident at Cashel. But though there was no actual breach of the peace, was it nothing that the minds of the peaceable and well-disposed of all ranks, of all classes, and of all creeds, were kept in a state of terrified suspense and fear as to the result of the present proceedings in Ireland? When the people of Clonmel were roused from their beds between four and five o'clock in the morning—when they had bands of music playing through the streets—when, on looking out at their windows, they beheld an awful mob parading through the town, at whose mercy they felt themselves placed, he would ask, whether these were not strong grounds for terror and alarm? His noble Friend (Lord Clanricarde) had alluded to those who were likely voluntarily to withdraw themselves from the commission of the peace. It was a course which he should exceedingly regret to see them pursue, and he hoped his noble Friend would exert his influence to prevent its being adopted, as he agreed with his noble Friend that it would be a serious injury. When those on his side of the House thought they had a mruch stronger cause of complaint, that couhse was not pursued. No magistrate wit drew from the commission in the indulgence of private feeling, but all continued in the discharge of their duties from patriotic motives.

The Earl of *Wicklow* regretted, that before the letter of the Lord Chancellor of Ireland was written it had not been generally intimated to the magistracy that the Government considered such meetings as the letter referred to dangerous, and that it was not becoming in magistrates to attend them. Though he did not approve the wording of the letter, he still thought his noble Friend opposite had dealt harshly with the Lord Chancellor. His noble Friend had only taken into consideration the case of Lord Ffrench, and that was the only one then before their Lordships. The censure which his noble Friend cast upon the Government and the Lord Chancellor of Ireland was unjust, for it was evident that there must have been some correspondence between Lord Ffrench and the Lord Chancellor before the letter which his noble Friend had read was written; and therefore it would have been but just in his noble Friend before he censured the Lord Chancellor to have moved for the correspondence, which had taken place. If it appeared from that correspondence that in the first instance the Lord Chancellor had written to say, that attendance at such meetings would be unbecoming, his subsequent proceedings would be perfectly justified, and it would appear that he had done so. The course pursued by his noble Friend might, to himself, appear to be just, but he could not consider it so. The noble and learned Lord (Lord Campbell) gave an opinion in favour of the legality of the present meetings in Ireland. He was not a lawyer but when he heard a noble Lord who was once Attorney-general to the Crown, and who had been a Lord Chancellor, expres an opinion calculated to prove so mischievous in Ireland — when he heard a person, whose opinion carried such high authority, make a statement which, even if it was right was still mischievous, but which he thought was totally wrong, he could not help feeling surprised. With respect to what the noble and learned Lord had said as to the legality of those meetings, he would refer to what had taken place in 1819, when large and numerous assemblages were called together at Manchester and other places, ostensibly for the purpose of petitioning Parliament for the repeal of the Corn-laws, or for reform, Now he did not consider these meetings nearly so dangerous in their tendency as those that had taken place recently in Ireland; but still the authorities considered themselves justified in dispersing the large meeting which was assembled at Manchester. He did not wish to express any degree of approbation as to the mode that was adopted to disperse that meeting. The question, however, was, whether it should be dispersed or not? That question was brought to trial. Mr. Hunt and other persons were tried for taking part in it, and were convicted. Now, he could not perceive anything dissimilar, as to the character of such a meeting as that which he had just alluded to and those held in Ireland, except that he thought the latter infinitely more dangerous. On the trial of Mr. Hunt the learned judge who presided (Mr. Justice Bailey) was described to have spoken as follows:—

"The learned judge then proceeded to refer to the evidence, and to enforce upon the minds of the jury that the main question they had to try was, whether the meeting was or was not, according to its manner calculated to produce terror either in the manner in which it was formed, or in the circumstances that ensued before its dispersion. The learned judge told the jury that the only question was, whether the meeting was calculated to create alarm, and they were not to say whether persons were in bodily alarm. It was then stated that the marching of organized bands of men from a distance to a place of meeting, attended with music and banners, was in its nature illegal. The jury found the parties guilty, and Mr. Hunt applied to the Court of King's Bench to set aside the verdict. The Lord Chief Justice, Mr. Justice Bailey, Mr. Justice Holroyd, and Mr. Justice Best, all agreed in opinion as to the illegality of the meeting."

When he found this was the case, might he not be permitted to differ from the opinion of the noble and learned Lord as to the illegality of the meetings held in Ireland; for these meetings all had the qualities which Mr. Justice Bailey, described as being characteristic of illegal meetings. He did not blame her Majesty's Government for not having hitherto put down these meetings, for that was a matter which must be influenced by considerations of policy; but there might be a bound beyond which no government could allow matters to pass, and when the danger became great and imminent, the meetings must be put down. He had had no intention to take part in the discussion, but after what had fallen from the noble and learned Lord, he felt bound to make some observations.

Lord *Campbell* begged to assure the noble Earl that he wished to speak with the greatest respect of the Lord Chancellor of Ireland, whose learning and conduct he was sure must command the general admiration of the House and the country. With respect to the observation that the noble Lord had made regarding his short residence in Ireland, he would only say that he had derived this benefit from it, namely, to unite in his mind the warmest affections to that country, and to make him feel the greatest interest in its welfare. As to the opinion the noble Earl had attributed to him with regard to the legality or the illegality of the meetings recently held in Ireland, he would only say that he had given no opinion himself on the subject. He had merely confined himself to the question as to whether in meetings called to petition Parliament for a repeal of the Union there was any violation of the law. Now, Lord Ffrench was dismissed not for having attended a meeting, or for any thing illegal that he had done, but for having expressed his intention to attend meetings at Cultra and at Athlone. What he said was that there was nothing illegal in itself to attend a meeting to petition the Crown or the Houses of Parliament for the repeal of any legislative act.

The *Lord Chancellor* said that he felt it to be his duty to address a very few words to their Lordships, after the observations that had fallen from his noble and learned Friend. The letter which had been referred to by the noble Lord who introduced the subject, and which had been animadverted on by other noble Lords, was not on the Table of the House, nor had he seen the letter of the Lord Chancellor of Ireland; but a letter had been reported in the newspapers which purported to be a copy of that letter; but whether it was authentic or not he could not tell. The speeches that had been made had reference to the particular views which the Chancellor of Ireland took with respect to the dismissal of Lord Ffrench. The real question, however, which they ought to consider, was whether the Government of Ireland had done its duty in the dismissal of these magistrates, for it should be recollected that this proceeding was not confined to Lord Ffrench, but extended to Mr. O'Connell and other magistrates; and he wae satisfied that if the Government had not acted in the way in which they had, they would have neglected their duty to their country and to their Sovereign. He did not mean to deny what his noble and learned Friend had said, that parties might legally hold meetings to petition for the repeal of any particular act of Parliament, and also that whatever opinions might be expressed in either or both Houses of Parliament, or by members of her Majesty's Government, would not of itself render a meeting illegal, or justify the dismissal of magistrates for attending it. But could they shut their eyes to what had been going on around them for the last two months? Could they have been ignorant of the nature and extent of the meetings that had been held week after week in Ireland? Were they not all fully aware that these meetings had been attended by from two to three hundred thousand persons, at which the most exciting and inflammatory speeches were made, and could any man tell him that such meetings were not illegal? Every meeting which was dangerous to the public peace was illegal; and no lawyer in the land would give an opinion to the contrary. He would ask noble Lords to look to the situation of Ireland, and to say whether such meetings were not dangerous to the public peace. But he might be told that, although these meetings were dangerous to the public peace, they were attended by these magistrates with the view of exercising their control and influence; but these persons, be it recollected, were appointed to the commission of the peace with the view of preserving the peace. Oh, but his noble and learned Friend exclaimed, would you prevent magistrates attending these meetings to preserve order—but did they do so? On the contrary, was it not notorious that they attended these meetings to promote agitation, and to excite the passions of the people; and when two or three hundred thousands of persons were present, under the circumstances under which these meetings were held, who could tell what might be the effect of any accidental circumstance? He would therefore say, that the persons whose duty it particularly was to preserve the public peace in Ireland, having neglected their duty as magistrates, it became the duty of the Government immediately to dismiss them from the commission of the peace. "Oh but," said his noble and learned Friend, "you gave them no notice of your intention; you did not tell them not to attend such meetings." His answer to this was, that if they were not fully aware that such meetings must be illegal, they were not fit for the situations which they held, and they must be as liable to be punished for attending and taking part in the proceedings in such places as any other description of persons. He had not merely communicated with his noble and learned Friends in that House on the subject, but with other persons standing high in the profession of the law, who all told him that it was hardly possible that there could be a meeting of two hundred thousand persons held which could be legal. Such an assembly must almost necesarily be attended with danger to the public peace, and, above all, when it was a political meeting, and when, in consequence of the inflammatory speeches which were made at it the greatest excitement prevailed. He found, also, that the leader at these meetings said that, by merely holding up his hand, he could get one of these meetings of hundreds of thousands of persons instantly to disperse. He would ask, what might be the effect if this person's hand were held up for another purpose? He would refer to what had taken place within a few years ago in Ireland. He would remind noble Lords that at the period he alluded to a noble Lord of the highest character was Lord Chancellor of Ireland, and that noble person refused to place a gentleman in the commission of the peace for only sanctioning the proposition for the repeal of the Union. He found this proceeding took place with the sanction of persons of the highest authority connected with the late Government. In the present case the Government had to deal, not merely with those who sanctioned the proposition for repeal, but those who were its popular advocates at public meetings, held under the state of excitement which he had described. He maintained that they had the sanction of the noble Lord for the course which they had taken. But they required no sanction—they required the authority of no man—they said, and no man would doubt it, that these persons, acting in the manner in which they had done, had acted inconsistent with the discharge of their duties as magistrates—that it was not necessary to give them any notice of the course to be taken by the Government, and that in this instance the Government had not only acted in the proper execution of their authority, but that if they had neglected to take the course which they had adopted, they would not have discharged their duty to the Queen, or to the country.

Lord *Cottenham* was somewhat surprised at the observations of his noble and learned Friend on the Woolsack, who said that he was not aware of the authenticity of the letters which had been so frequently alluded to, except from the public papers. His noble and learned Friend had said, that meetings of this sort could not legally take place. He (Lord Cottenham) was not about to discuss the legality or illegality of the meetings. They knew well that meetings ostensibly of a perfectly legal and proper character might become illegal from the manner in which they were conducted, and he should therefore abstain from giving any opinion upon the legality of these meetings, because the facts of the case were not before them

They were, however, ostensibly called for a legal purpose, and could only become illegal from something which happened at the time — from something which might excite public terror — or from its being intended to produce some illegal effect. His noble Friend had stated, that the alarm which prevailed through the country, and which had been produced by these meetings, made it the bounden duty of the Government to dismiss all magistrates who might attend those meetings. He would not enter into the discussion of this part of the case now, but he begged to say that if that were so, the Irish government had been guilty of a gross dereliction of duty; because these were meetings, not of yesterday, but of long continuance—which had been attended by magistrates, and which magistrates had not been dismissed. They had the highest authority on this point, because they had that of the Lord Chancellor of Ireland himself. That learned person stated in his letter, that, in his opinion, magistrates ought to have opportunities of stating their opinions on public affairs; he stated, that that was a wholesome practice; consequently the Lord Chancellor of Ireland had been of opinion that they might attend in order to state their opinions. Why, then, did the Lord Chancellor of Ireland alter his course in the case of Lord Ffrench? Not because Lord Ffrench had attended any meeting—that was not the language held by the Lord Chancellor; but because Lord Ffrench had stated, in an answer to a letter from the Lord Chancellor, that he proposed to attend such a meeting. Now, that meeting he insisted was ostensibly for a legal object; he did not say it was a legal meeting ultimately, for his noble and learned Friend on the Woolsack had said it was not, but he said it was ostensibly and at first a legal meeting; and yet, because Lord Ffrench stated his intention of attending that meeting, he was dismissed from the magistracy. Their Lordships must observe, that no injustice was done to the Lord Chancellor of Ireland by the view of the case which he and his noble Friends near him had taken. They had only remarked on the case, as stated by the Lord Chancellor of Ireland himself in the letter which he wrote to Lord Ffrench, as a justification of the course he was pursuing. It was true, that his noble and learned Friend on the Woolsack had found out a justification of the Lord Chancellor of Ireland, but only a justification which the Lord Chancellor of Ireland did not find out for himself. The Lord Chancellor of Ireland said, "I had been desirous that magistrates should have opportunities of stating their opinions in favour of repeal." He did not say where; but he (Lord Cottenham) presumed, that it must be at meetings of this kind that they were to find those opportunities. But the Lord Chancellor of Ireland stated, that some change had taken place. What was that change? Why, that her Majesty's Ministers had made certain declarations to the two Houses of Parliament. The Lord Chancellor stated, that

> "Her Majesty's Government having recently declared in both Houses of Parliament their fixed determination to maintain the Union, it becomes the duty of the Members of the Government to support that declaration."

Now, from this one might almost suppose that the Lord Chancellor of Ireland had been in doubt what step to take. The Lord Chancellor did not state how he had heard of these declarations, and the inference was, that he knew of them only by those means which were open to those who had not seats in Parliament. He stated, in fact, that he had heard of those declarations, and then said, that it was the duty of the Members of the Government to support the resolution that had been taken by her Majesty's Ministers here. It was true, that this letter was not all that had passed on the occasion. There was a former letter, which was not now before their Lordships—the letter, namely, in answer to which Lord Ffrench had stated his intention of attending the meeting in question—and it ought not to be forgotten that it was not because Lord Ffrench had attended other meetings of the kind which had gone by, and which might have deserved the reprehension of the Lord Chancellor of Ireland, but because he had expressed an intention of attending such a meeting at a future day, that he was dismissed from the magistracy. Now, he must say, that the learned person who made this defence for himself had been most unfortunate in stating his own defence in his own letter. He did not say, that there was no defence for that learned person's conduct, but he did say, that the trouble which was taken to make the defence stated in the letter was wholly thrown away. But there was another point deserving of their Lordships' attention. This letter stated, that the Repeal of the Union was a measure, the carrying of which her Majesty, like her predecessor, had expressed her determination to prevent. Now, there were certain constitutional modes by which the Crown communicated with Parliament. The Crown communicated with Parliament by means of a Speech from the Throne, or by a message, or in answer to an address of either House. These were the well-known constitutional means of communicating with Parliament. But a communication made under these circumstances did not convey the personal opinion of the Crown; it was the language of Government expressed in terms which the Crown was known to receive. On this occasion, however, nothing of that kind had taken place; there was no speech from the Throne, no message, no answer to an address. How had the wish of the Crown been communicated? If at all, it must have been by some use of the name of the Crown, which was perfectly unconstitutional. If any Minister in his place in Parliament were to get up and say that the Government had advised the Crown to maintain the Union, that would be perfectly unexceptionable; that would be constitutional; because that was merely stating that they had done what it was the duty of Ministers to do, viz., to advise the Crown; but nothing of the kind was attributed to her Majesty's Ministers in the letter of the Lord Chancellor of Ireland; but what fell from her Majesty's Ministers was stated as if it had come directly from the Crown by way of message. It was true that William 4th had stated his determination to maintain the Union, but in that case there was a constitutional expression of his Majesty's determination; here there was no such constitutional expression of a determination to maintain the Union, though the Government had, as a Government, expressed their determination to the same effect. On the whole he considered that this mode of announcing the determination of the Crown was most unconstitutional and unfortunate. Let it be observed that the Lord Chancellor of Ireland did not state that her Majesty's Government were determined to maintain the Union, but that her Majesty was determined to prevent the repeal of it. As he had intimated, he could not but consider that, whatever grounds there might be to support the course taken with respect to the matter of the present discussion, there had been, he had almost said, a careful abstraction of those grounds from the face of this letter, while other grounds had been put forward which were perfectly untenable. His noble and learned Friend had referred to the refusal of a noble Friend of his, when at the head of the executive in Ireland, to appoint magistrates who were known to entertain opinions in favour of Repeal, but it was quite different not to appoint and to dismiss. But the fact was the late Lord-lieutenant of Ireland did not refuse to appoint to the magistracy on such ground. He believed the only case in which that noble Lord had refused to appoint for those reasons was that of a sheriff. [A noble *Lord:* "he stated he should refuse in cases of all public officers."] The expression of the noble Lord might have extended further than his recollection went, but at any rate he believed the only case in which a refusal was given was that of a sheriff. All who had held the great seal must have felt that it was usually a matter of delicacy to dismiss a magistrate; it was never resorted to except for strong reasons: but the case of a non-admission to the magistracy was very different, for it was no reflection on any particular individual that he was not made a magistrate. In all he had said, he wished it to be kept in view, that what might be the grounds for dismissing Lord Ffrench he had no means of judging, except from the letter, which stated that the intention expressed by his Lordship of presiding over such a meeting compelled the Lord Chancellor to resort to the measure of his dismissal. The Lord Chancellor said, "You are determined to preside at this meeting, therefore I dismiss you." If there were better reasons they were not to be found within the four corners of the letter; if they really existed why were they not stated? It was most unfortunate that they were not stated; for he would ask their Lordships was this a reason for dismissing a magistrate? He would repeat it was most unfortunate in the present state of Ireland that they should not have had the real reasons for this step put forward at once. The great object of the Government, as of every well wisher of the United Kingdom, was to repress agitation. Was this letter likely to effect that object? If Lord Ffrench had been guilty of any offence which would have rendered his continuance in the commission of the peace disgraceful, why not state it in the letter? But if it was not so, the only question was as to the policy of suffering him to remain. Was such a letter likely to appease agitation? Was it not likely to excite and increase it? He much feared the latter would be the result. But if these meetings were illegal, as his noble and learned Friend intimated, he would say, at least that no man could read the letter and not see that it was an authority, so far as it went, that they were perfectly legal; moreover, no steps had been taken to repress them; and the only reason for the change in the policy of the Irish Government seemed to be, that the noble Duke and the right hon. Baronet in the other House had communicated something which, as a matter of information, the Lord Chancellor of Ireland appeared not to know otherwise than through the ordinary means of intelligence. However, his noble and learned Friend on the Woolsack had entirely thrown over that learned person, and put the defence on the general ground of the importance of dismissing magistrates who attended meetings of an illegal character or tendency. With these remarks, he should leave the matter in the hands of their Lordships.

The *Lord Chancellor* never meant to say that refusing to appoint was the same thing as dismissing a magistrate; he had argued from the refusal of the late Lord Lieutenant to appoint to the magistracy persons known to hold repeal opinions, that their Lordships might infer the unfitness of persons who attended repeal meetings, of the character which he had described to retain the commission of the peace. With respect to the question of the illegality of these meetings, he believed that the Lord Chancellor of Ireland thought them illegal, because he said in the letter that they tended to outrage, and all meetings tending to outrage were illegal.

The Marquess of *Lansdowne* had concurred in the expression of determination by his noble Friend, the late Lord Lieutenant of Ireland, to use the patronage of the Crown, so as not to encourage the agitation of the question of Repeal, but he did not understand, and he did not believe, that the noble and learned Lord on the Woolsack understood at the time, that his noble Friend, in stating that, meant to say, that he should appoint no person who advocated the Repeal of the Union. But it was true the noble Earl had gone, and had refused to appoint a person as sheriff, because that person was irrevocably pledged to Repeal; but did the noble Earl assign any unfit reason for the course which he took? No; he assigned the reason on which he acted. To establish the species of analogy which the noble and learned Lord on the Woolsack wished to establish, he ought to have shown, that the noble Earl had referred to the proceedings in Parliament, and to something which had been said there, and taken that as the reason for changing the course which he had formerly held, and which he stated he had been desirous to adopt; but the noble and learned Lord had taken the letter, which he had the singular good fortune not to have seen before, although it was published on Saturday, again on Sunday, again on Monday, and again that morning. [The *Lord Chancellor*—"I did not say I had not seen the printed letter; I only said I had not seen the letter itself."] That made the case stronger; because, having seen the noble and learned Lord could not defend the letter. Why, he asked, was this particular meeting fixed upon. Had there been no other such meetings within the last two months, attended with all those circumstances which the noble and learned Lord on the Woolsack had so eloquently described, and had no magistrates attended, or taken part at those meetings, without drawing down on them the censure of the Government? The noble and learned Lord on the Woolsack had stated, that all those meetings were illegal, but that was a different view from the one adopted by the Lord Chancellor of Ireland, for Sir Edward Sugden held, that hitherto they had been legal, but were made illegal from what had passed in Parliament. But, if those meetings had all along been illegal, how came the noble and learned Lord on the Woolsack not to have advised the Queen to exercise her authority to put them down, being illegal as he had stated? The step might be attended with very serious consequences—consequences, however, on which neither he nor any noble Lord near him was inclined to express an opinion without having all the circumstances of the case brought before them and well weighed; but this he would say, that if the reasons for taking such a step were to be stated, as they had been by a great public functionary, and that statement was to be sent forth to the people of Ireland as exhibiting the real grounds on which the Government were acting in such cases, he could not agree with the noble and learned Lord on the Woolsack, that it was immaterial in what terms those grounds were expressed. As to the question of illegality, he was decidedly of opinion, that circumstances might arise at meetings of this kind which might render them illegal; and he was convinced, that a discretion was vested in the Government to determine when they became illegal. They might have a tendency to disturb the public peace, or violent language tending to cause such disturbance might be used at them; and, beyond, this if they were of a peaceable external character, there might be circumstances known to the Government which might connect them with ulterior objects, and so might give them an illegal character, which it might be proper to discountenance and visit with censure. But, whatever the circumstances might be under which such interference took place, the Government ought to give some public intimation of their intention to interfere in order that magistrates and other persons might not be left in the dark as to the line of conduct the Government meant to pursue. In the instances referred to by the noble and learned Lord, that appeared to have been the opinion entertained by the late Government, and especially by his noble Friend who, at that period, occupied the post of Lord-lieutenant of Ireland, who plainly intimated the course which he intended to adopt, so that no shadow of doubt could exist, as to his opinion, and the course he would follow. The Lord Chancellor of Ireland did not, in his letter, call in question the legality of those meetings; but the reason he assigned for the removal of magistrates from the commission, was a declaration which had been made in the other House of Parliament; and which, as his noble and learned Friend had stated, could not be considered as the personal declaration of her Majesty, but only as an intimation of the determination of her Majesty's Ministers to tender certain advice to her Majesty. No one could suppose, that that declaration was intended to convey her Majesty's personal intention to maintain the Union, contrary to the wishes of Parliament, or to refuse her consent, if Parliament should act in so improbable and mischievous a manner as to pass a measure for the Repeal of the Union. What the right hon. Baronet, who made the declaration intended to declare was, undoubtedly, that the Ministers of the Crown would now, and perseveringly upon all occasions, advise her Majesty to maintain the existing Union. [Lord *Wharncliffe*—"And have so advised her Majesty."] Such a declaration on the part of her Majesty's Ministers, did not render that illegal which before had been perfectly legal. It did not alter the position of the Lord Chancellor of Ireland with regard to the administration of the power vested in his hands. He complained, that the letter of the Lord Chancellor did not state, as it ought, the grounds upon which the dismissal of Lord Ffrench really took place—that it was in consequence of the illegality of the meetings, or any impropriety connected with them, which might have been of such a character as to justify that peculiar interposition which had been exercised. The only reason assigned by the Lord Chancellor was founded upon information derived from a source which had no authority, and to which he had no right to pay the smallest attention. He concurred with his noble Friend in lamenting the course which had been pursued by the Lord Chancellor of Ireland, and which could not fail to be attended with the mischievous result of directing the attention of the people of Ireland—not to the law of the land, but to the debates in Parliament, from which to collect their notions of what was or was not legal. He must say, that he thought a false and unfortunate step had been taken in the case, if not by her Majesty's Government, by an individual connected with them by his official position. In questioning the propriety of these dismissals, he pronounced no opinion on the character of the meetings to which allusion had been made. He could not, of course, be aware of the information in the possession of her Majesty's Government on this subject, and he must repeat, that proceedings which, in the first instance—while confined to fair and free discussion of a great and important question—were perfectly legal, might, as they went on, assume a totally different character and call for the interference of the authorities.

Lord *Wharncliffe* thought it would have been better had the noble Marquess (Clanricarde) who introduced the subject moved for the production of the correspondence relative to it before going into a discussion on the question. Allusion had been made to the declaration which, a short time ago, was made in the other House of Parliament by the First Lord of the Treasury, and which had since given rise to considerable comment and observation. Now what did the right hon. Baronet say on that occasion? The right hon. Baronet said, as he understood—for, not having heard the statement himself, he obtained his information from those sources from which all their Lordships derived their knowledge of the proceedings in the other House—the right hon. Baronet then said that he was authorised by her Majesty to declare that she would adhere to a certain declaration which had been made by her Majesty's royal predecessor. Now the right hon. Baronet could only mean, in making that statement, that he had advised her Majesty to allow him to make that declaration on her Majesty's part. Undoubtedly the Government were responsible for that declaration. It was not the statement of the personal determination of her Majesty, but the declaration of the determination of the Government. With respect to the attendance of magistrates at those meetings, several noble Lords opposite had said that, up to a recent period, the Government considered such meetings to be legal, and took no notice of them. But noble Lords must be aware that many illegal acts were committed, especially during periods of agitation, which it might not be advisable to notice in the first instance; but circumstances might render interference requisite, and if, when the necessity for such interference arose, the Government shrank from exercising the power they possessed, they neglected their duty to the Crown and to the country. It was undoubtedly a fact that, before the dismissal of Lord Ffrench, many meetings were held in Ireland, which, from the number of persons attending them, and from the nature of the proceedings, could not be considered legal and constitutional assemblies; but no interference took place until those meetings assumed a character which, he thought, no one would deny threatened the peace of Ireland. It was very easy to say that those meetings were convened for a legal object. He admitted that to be the case; but an assemblage of 100,000 or 200,000 persons was calculated to alarm her Majesty's peaceable subjects, and he was surprised that breaches of the peace had hitherto been avoided. A meeting of this nature was recently held at Cork, which it was computed was attended by from 150,000 to 200,000 persons, to the great alarm of the citizens. Surely, it could not be necessary, for any legal purpose to collect persons in such numbers from all parts of Ireland? Such meetings could be assembled only for the purposes of agitation, and they were calculated to excite the utmost alarm and apprehension in the minds of the peaceable portion of the community. He certainly thought that the Government would not discharge their duty if they refrained from dismissing any magistrate who attended meetings of this nature, and he was fully prepared to take his share of the responsibility of such a course. Any magistrate who attended such meetings—even though the purpose for which they were convened might be perfectly legal—could not be aware of his duty as a magistrate, and was unfit to remain in the commission of the peace. That was his opinion—an opinion by which he was prepared to abide. He hoped that what had passed during this discussion would not be without its effect out of doors. It would be seen that the Government had taken upon themselves the responsibility of the dismissal of these magistrates; and that they were determined—a determination in which he believed they were supported by the public feeling—to maintain the union of the two countries.

The Marquess of *Clanricarde* in reply, admitted that his motion so far as regarded its form, was open to the observations which had been made by the noble Lord who had last spoken, but he had felt that any delay upon such a subject would be most unwise, and he had, therefore, submitted his motion to the House in a hurried and perhaps insufficient manner. He confessed, however, that he was glad that he had brought the motion before the House, for he believed that the discussion which had taken place would not be without its good effects upon the public mind. He had endeavoured to avoid the discussion of the general question of dismissing magistrates, and to confine his observations on the contents of the letter of the learned Lord Chancellor of Ireland, and he must repeat that both the time of writing that letter and its contents were most unfortunate. As the papers for which he moved had been granted in the other House, he presumed there would be no opposition to his motion.

Motion agreed to.

Their Lordships adjourned at half past nine o'clock.

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HOUSE OF COMMONS,

Tuesday, May 30, 1843.

MINUTES.] BILLS. *Public.*—1°. Salmon Fisheries; Assessed Taxes; Coalwhippers; Woollen, etc. Manufactures.

Private.—1°· Halbeath and Lochgelly Railway.

2°· Watson's Divorce; Maryport and Carlisle Railway, (No. 3).

Reported.—Saltcoats Harbour; Chalgrove Inclosure; Leamington Priors Improvement and Market; North Esk Reservoir; Bardney, etc. Drainage; Lagan Navigation; Ballochney Railway.

3°· and passed:—Lough Foyle Drainage.

PETITIONS PRESENTED. By Messrs. Gisborne, G. Berkeley, Strutt, Tancred, James, Divett, Ricardo, Blewitt, Hume, M. J. O'Connell, Aglionby, M. Gibson, T. Duncombe, Aldam, and Hindley, Lords C. Manners, J. Russell, and Duncan, Dr. Bowring, Sir H. Fleetwood, and Sir T. Colebrooke, from an Immense number of places, against the Factories Bill.—By Mr. Divett, from F. G. Farrant, against the Income-tax.—By Mr. F. Egerton, from Stockport, against the Union of the Sees of St. Asaph and Bangor.—By Mr. C. Round, and Mr. Bennett, from three places, against the Canada Corn Bill.—By Lord J. Russell, from the London University, for some Improvement in the Ecclesiastical Courts Bill.—From Newbury Union, against the Poor-law Amendment Bill. —From Chairman of Meeting at Montrose, for Inquiry into the case of Robert Peddie, a Political Prisoner.—By Mr. Ferrand, from Keightley, in favour of the Waste Lands Allotment Bill.—By Mr. Hume, from the Shipowners of Montrose, against the Charges made for Beacons, and against being compelled to take Pilots on board their Vessels.—By Mr. Gisborne, from Nottingham, and Mr. S. Crawford, from Abbeyleix Union, for the Repeal of the Union.—From Banbury and Birmingham, for Carrying out Rowland Hill's Plan of Post-office Reform.—From Chairman of Meeting at Kingston-upon-Hull, for Mitigation of Punishment of Thomas Cooper and others.—From Paddington, for Establishing Home Colonies.—From Athboy, for Encouragement of the Church Education Society's Schools.—From Holme Bridge, in favour of Infant Schools.—From Chilthorne, Domer, against any further Grant to Maynooth College, and for the Repeal of the Roman Catholic Relief Act.

TEN-GUN BRIGS.] Captain *F. Berkeley* begged to ask the hon. Member opposite whether there was any foundation for the report, that the Admiralty had issued orders for the fitting-out of the ten-gun brigs, which were known in the navy under the name of "floating coffins," for the purpose of sending them out to Africa, with a commander and a complement of eighty men, in order to cruize along that coast on the slave preventive service?

Mr. *S. Herbert* said, that the Government had formed an opinion that officers of the rank of lieutenants in the navy were not of a rank sufficiently elevated to qualify them for the duties of a commander on the African station, and therefore it had been determined to send out no vessel under the charge of an officer of lower rank than that of a commander to cruise on the slave coast, for the duties which were to be performed by that officer were of a most delicate and responsible nature, more particularly those which related to the boarding of foreign vessels, and of instituting a search for slaves; and therefore it was deemed requisite that a small number of ten-gun brigs should be fitted out and despatched to the African station. At the same time he must observe, that the crews were not to consist of the full complement of eighty men, but were modified, in point of numbers, to suit the limited accommodations of the vessels.

DISMISSAL OF MAGISTRATES (IRELAND.] Sir *D. Roche* said, that having seen a declaration in the morning papers, made by the right hon. Baronet opposite (Sir James Graham), relative to the removal of several of the Irish magistrates, from the commission of the peace in that country, he felt it to be his duty to inform the right hon. Baronet the Secretary of State for tha Home Department, that he (Sir D. Roche) had attended a dinner at which the question of the repeal was discussed; and having done so, he thought it was quite right that it should be known that he did not wish to remain in the commission of the peace a moment longer than was consistent with his personal dignity and freedom of opinion upon political topics, such as that in question.

Sir *J. Graham* said, he should adhere to the declaration which he had made yesterday. That declaration was, that a discretion was vested in the Lord Chancellor, and he felt quite sure that learned person would exercise a wise discretion in the consideration of those cases which were brought under his cognisance; that learned and eminent functionary was responsible for whatever he did in this respect, and he (Sir J. Graham) had not the slightest doubt but that he would be found to have been fully justified in those cases wherein his authority had been exercised.

THE GREEK LOAN.] Sir *R. Peel* expressed a hope that the hon. Gentleman (Mr. Cochrane) would withdraw his motion for papers relating to the diplomatic intercourse with the kingdom of Greece, as it interfered with the adjourned debate.

Viscount *Palmerston* said, to judge from the notice, the motion of the hon. Member was one of very great importance, because by the fact of the Greek government not having fulfilled the treaty, by which it was bound to pay the interest of the English loan out of the first proceeds of the revenue of Greece, the burthen was thrown on this country of paying a year or half-year's interest out of the consolidated fund, and he was anxious to hear from her Majesty's Government what reasons had led to the violation of the treaty on the part of Greece. He did not believe there was any just cause for that violation.

Sir *R. Peel* said, the failure of Greece to fulfil the obligation she had contracted did place this House in a new relation with respect to that country, and gave the House a right to ask for financial information from the Greek government which they would not have a right to require from a country fulfilling its own obligations. In reply to the question the other night, he had stated that the three powers who were parties to this obligation had met together, and had adopted a joint course, the consequence of which was, that a communication had been made to the Greek government, requiring it to make provision for the future payment of the loan out of its own resources, and to indemnify this country and the other powers for the temporary advance they had made under the treaty. There had been no opportunity yet of receiving an answer from the Greek government. They had wished to give the Greek government a short interval, to take the course which should be most consistent with the dignity of that monarchy. As soon as an answer could be received to that communication, and it was known what course the government of Greece intended to pursue, he should deem it to be his duty to submit to the House all the information he could obtain on the financial affairs of that country. He was sure the House would feel, that after the course taken by the contracting powers, France, Russia, and England, acting in the most cordial concert, the result of that communication ought to be known before he laid these papers before the House. But while he stated this, he perfectly recognised the right of the House to have information relative to financial matters submitted to it at the earliest possible period. With respect to the protocols from 1833, he had not the slightest objection to present at once any protocols which had been signed by the powers connected with the affairs of Greece since that period, with the exception of those relating to the finances of Greece, which he was desirous of suspending only until some definite result was arrived at.

Mr. *B. Cochrane* would not go against the sense of the House on such an important question as that which formed the subject of the adjourned debate. He would therefore postpone his motion.

Viscount *Palmerston*, on the Order of the Day being read, made the following explanation which he was before precluded from making, by a point of form. The right hon. Baronet, he said, stated that the loan to Greece was the act of the late Government. Now the right hon. Gentleman ought to have recollected that the engagement on the part of the three powers, of which England was one, to guarantee that loan to Greece, was an engagement contracted by the Government of 1830, of which the right hon. Baronet himself was a Member; and that Lord Grey's Government, in fulfilling that engagement, fulfilled towards Greece, under King Otho, that which the former Government promised to do towards Greece under King Leopold. The only difference was this, that whereas they made no specific stipulation as to the payment of the interest on the part of Greece, Lord Grey's Government did make a stipulation, which, if observed, would have been sufficient—namely, that the first proceeds of the revenue of Greece should be regularly applied towards the interest of the loan. So that, if that stipulation had been fulfilled by Greece, no burthen could possibly have been thrown on the revenues of this country.

ARMS (IRELAND) BILL—ADJOURNED DEBATE.] The debate on Arms (Ireland) was resumed.

Mr. *Ross*: My hon. Friend, the Member for Londonderry (Mr. Bateson) in giving in his adhesion to this bill, has gone so far as to say, that no man acquainted with the present state of Ireland, can oppose it on any other than factious grounds. He will doubtless be surprised to find in the course of this debate many Gentlemen intimately acquainted with that country, and above the suspicion of being actuated by factious motives, most decidedly hostile to a restriction on the common-law right to bear arms, not justified by a proved necessity. That the bill is an invasion of a constitutional right, is admitted by its authors—and how precious is that right! It leaves no man defenceless as regards his person, his family, or his property. On other grounds it is of inestimable value. It fosters a hardy and warlike spirit in the nation; and this was in other days so strongly felt, that Englishmen were not only permitted, but by statutory enactments, and proclamations, enjoined to perfect themselves in the use of arms by exercise, so that they might stand at all times prepared to fight for their country. It was this that enabled the Tyrolese to offer a glorious resistance to the disciplined armies of France; it was this that made Spaniards formidable in the war of independence; it was this that enabled the people of the United States to oppose to our tyranny a resistance which will be held in honour, as men shall remember the great deeds of their progenitors; it was this, that but the other day, checked the invading hosts of Russia, and rolled back the tide of victory from the hills of Circassia to the shores of the Black Sea. And this right with its attendant military virtues you now propose to restrict. There is yet another point of view in which the right of possession of arms ought to be regarded. An armed nation is commonly a free nation, and will protect their liberties as well as their national independence. I know this is a delicate subject, to be treated with the same reserve as those latent powers of the constitution, which are reserved for emergencies, but whose existence ought never to be forgotten. Now, what have the promoters of this bill to urge against these weighty considerations? Some of them remind us, that to regulate the power of possessing arms is not to abolish it; and that "proper persons" will still retain them. But then comes the question, who are to be judges of this propriety? The magistrates? There are two sets of magistrates in Ireland—one magistrate might think a man ought to possess arms, whom another magistrate in another county, might consider a very improper person to be so trusted. What I apprehend is this, that the effect of the bill will be to arm a class, the same from which the yeomanry was formerly taken—and to deprive the Roman Catholics of their arms, so that in case of civil commotion, the poor Roman Catholics would be left a defenceless prey to the violence of the armed yeomanry. Better, if the people are to be disarmed, to act impartially, and disarm both classes alike. Others have told us that Ireland has been, time out of mind, subject to such restrictions on liberty. As if antiquity justified abuse! The measure, they say, is not new. No, indeed, it is as old as the oldest record—as old as tyranny itself. I read in a very ancient book by what politic arrangement the Philistines kept the subjugated Hebrews in order. Will the House permit me to give the passage.

> "Now there was no smith found throughout all the land of Israel; for the Philistines said, lest the Hebrews make them swords, or spears. But all the Israelites went down to the Philistines to sharpen every man his share, and his coulter, and his axe, and his mattock. Yet they had a file for the mattock, and for the coulter, and for the forks, and for the axes, and to sharpen the goads."

On this venerable model is your bill framed. But I want to know the extent to which your definition of arms will go. A pitchfork, a scythe, or a marlin-spike in the hands of a resolute man might be converted into very formidable weapons. What we require, and what we have not found, is a justification of this jealousy and apprehension. Local disturbances, and instances of agrarian outrage, within a confined district, are not surely sufficient. As to rebellion, nothing of the kind is to be feared. The Irish are actuated by no feelings of hostility to the people of this country. Violent, and very improper language has, I admit, been used at the Repeal meetings; but all these exciting declamations against the Saxon, have failed to produce a single insult, much less an injury to an Englishman. The frequent repetition of such language seems to have deprived it of all power over the minds of the people; in short, it goes in at one ear, and out at another. My countrymen, I repeat, are not the enemies of the people of this country; and as to our common Sovereign, do you want any additional security for her? There is not (I speak it without fear of contradiction) there is not upon the face of the earth a people more cordially attached to their Sovereign than that people whom this bill would place under ban. In them, respect to the Crown is blended with and exalted by a tender and chivalrous regard to the youth, and sex, and I may without flattery add, the virtues of her who wears it. But it may be said, does the devoted loyalty of the Irish extend to the Church? I cannot pretend to say it does; nor do I see why it should. The Church by law established, has done little to win the affections of the Irish people. It was introduced and maintained by force; and ever since it has plundered and oppressed the nation. Not by works of charity and mercy has its influence been felt, but by the exercise of high-handed power, and through the medium of the tithe proctor. Ireland was treated as a conquered country, and the Established Church, and its supporters, the garrison by which it was held. Remember the penal laws,—there are men living who saw them in operation. If an angel from Heaven had come with the formularies of the establishment in one hand and the penal laws in the other, doubtless he would have been rejected. Therefore, the establishment has no title to regard, and the feelings of the people towards it have ever been, and still continued to be, just what our national poet has expressed:—

"Thy rival was honoured, while thou wert wrong'd and scorn'd;
Thy crown was of brier, while gold her brow adorned:
She wooed me to temples, whilst thou laidst hid in caves;
Her friends were all masters, while thine alas! were slaves;
Yet cold on the earth at thy feet would I rather be,
Than wed what I loved not—or turn one thought from thee."

Such were the feelings of which Moore has been the eloquent exponent.

There are two opposite ways of governing a country. The worst has been chosen for Ireland, and in spite of experience persevered in. You have not borne in mind a saying of one of the wisest of men: "Nations are not primarily ruled by laws — less by violence;"—nor another, a particular application of it by his illustrious disciple, Charles James Fox: "The best way to govern Ireland is to let her have her own way." You have chosen rather to govern by force than through affection; to apply rough and arbitrary, rather than conciliatory, measures; and you find the inevitable consequence. Even your ameliorations have been negatived by some accompanying affront or wrong. When Roman Catholics were admitted to Parliament, Mr. O'Connell was sent back for a new election. I have no disposition to detract from the value of the Emancipation Act, but I lament that in granting it you abolished the class of 40*s.* freeholders instead of educating them up to a capacity for exercising their elective franchise with knowledge and intelligence, as they had before done, with zeal and honesty. Under the successive administrations of Lords Normanby and Fortescue, proof was afforded of the degree in which good administration compensates for vicious or defective law. Troops were withdrawn in large masses, and more might safely have been spared. A feeling of general confidence was inspired,—it seemed as if harmony was about to be at last established; even Orange violence was suspended; for in the year of the Queen's accession to the throne, no Orange procession took place in my county. At present, instead of withdrawing troops from Ireland, you are rapidly pouring them in. And, why?—is it for the purpose of dispersing the repeal meetings. I warn you not to attempt it. I warn you that a collision between the troops and the people, brought about by forcible interference with meetings legal in themselves and peaceably conducted, will kindle up a flame from one end of the country to the other which you may find it extremely difficult to quench. Try conciliation and concessions. I heard the noble Lord the Secretary for the Colonies at the commencement of the Session express himself with regard to Canada in terms which afforded me the highest satisfaction. That noble Lord justified Sir Charles Bagot's policy, and declared that he thought a country which could not otherwise be held than by force of arms, was not worth holding. Why is Ireland to be held an exception from the principle laid down by the noble Lord? Is it because Canada has a powerful neighbour on her frontier, that it is held unsafe to treat her as Ireland has been treated? I tell you, you dare not thus treat any of your powerful dependencies. Do you think it would be possible to govern Hindoostan as you govern Ireland? Why, if you were to attempt to strip Juggernaut of the 60,000 rupees that we were talking about the other night, or any other of the bloody or filthy idols of the country—of their endowments, and apply them to the support of our own establishment, you could not hold Hindoostan for a month. You are just to Canada and to Hindoostan — Ireland is excepted. The system on which Ireland is governed, may be said to reverse the boast of an Englishman, that the slave who sets foot on British soil is free; for who ever crosses the channel, and sets foot in Ireland, becomes a slave, as far as the forfeiture of the right to carry arms involves slavery. One other consideration I would respectfully press on the attention of the House. Take into account the character, and position of the people, with whom you have to do; a people who, to their many virtues, have lately added a self-denial, and constancy of purpose, hardly to be paralleled in the annals of mankind; a people ardent, intelligent, gifted with sensibility, and imagination in the highest degree, who treasure up the memory of a kind word, as if it was a benefit, and resent an insult more deeply than an injury. How easily might such people be governed? Make a noble experiment. Address yourselves resolutely to the task of redressing grievances and procuring benefits—spare no abuse however hoary with age, abolish every institution that will not stand the test of truth and reason. Trust the people; act justly and generously towards them, and you will have no need of Arms Bill or Gagging Bills, or any other clumsy expedient to repress the free spirit of the people; and if the day of trial should come, and the Queen should demand the services of her Irish subjects, believe me, they will answer the call as they have done before, and will shed their blood like water, in defence of the country, or to maintain the honour of the Crown.

Mr. *Stafford O'Brien* said, he had no intention to stand up in vindication of the past treatment of Ireland. The conduct of England towards Ireland was a black page in history, He would go farther, and say that there was one part which he deeply regretted of the conduct of the present Government towards Ireland; he meant the subject to which reference had been made by the right hon. Member for Dungarvan —the measure which had led to the increase in illicit distillation. He thought it unfair in hon. Gentlemen opposite to press their arguments to the length of saying that it was an injustice not to extend the same laws to both countries, when circumstances were different. Had not the right hon. Member for Dungarvan last night told the House that, in order to elicit truth, it was necessary to condemn the witness at criminal trials to eternal banishment, that being the only means by which their lives could be protected? Hon. Members might not be aware that there were always, in every town and village in Ireland, two or three turbulent fellows, whose chief object was to obtain the possession of arms for their own bad purposes. It ought to be the object of the House to assist the peaceable and well disposed in resisting such a tyranny; and how cruel such a despotism was, those who had mixed with the agricultural population of Ireland alone could tell. It would be a boon to the Irish peasant to pass this bill. The right hon. Member for Dungarvan said the bill would have the effect of pressing severely in its operation on the good, while it would offer no impediment to the designs of the evil-minded. He was convinced, on the contrary, that if this bill passed, the magistrates of Ireland would be able to make it fall with a feather's weight on all who were peaceably disposed, while it would act as a band of iron on those who were inclined to commit agrarian outrages. Let hon. Members reflect how much would be added to the peace and security of the people of Ireland by the increased safety for life and property which the bill would insure; let them not confine their sympathy to the disloyal and the ill-affected He pleaded on behalf of fathers of families, who would be able to lie down on their beds after their day's work without having their rest broken; on behalf of industrious young men, who would not be dragged against their will to join meetings of the idle, profligate, and the secret traitor; of young women, who might have saved a small pittance out of their hard earnings, and who would not have to fear because of that pittance, abduction, and brutal violence. He thanked the Government for bringing forward this bill, because he believed it would not be the only measure with reference to Ireland which would proceed from them, and because he thought that, when it should become law and its provisions be fairly carried out, as they would be by the magistrates of Ireland, they would bring to the peasantry not oppression and tyranny, but benefits and blessings.

Mr. *Redington* said, if the Government introduced measures of this kind, and forced them on the statute book, they would cause the law to be despised—the people would regard it as an engine of oppression, and a spirit of opposition would be roused which it would be very difficult to allay. How had the law with respect to the registration of arms been acted upon? It had been used for every purpose except that which the framers of it had in view. It had been made use of at contested elections, against troublesome tenants, and against poachers to ensure convictions under the game laws. When the disturbances took place some time ago in the manufacturing districts, and the people were in possession of arms, the existing law in England was found sufficient for the purpose of preserving order; and the law in Ireland, if properly administered, would answer every purpose without the necessity of resorting to a violation of the constitution. The *onus probandi* of showing the necessity of such a departure from the constitution rested on the Government. The noble Lord, on introducing this measure, said, that its object was to continue the existing acts; but he proposed to extend it over a period of five years. There was but one precedent for such a course, and that was when Ireland was so much disturbed twenty years ago. The noble Lord said, the present measure was similar to the one introduced by the late Government. He was not there to defend that Government; but he must say, they did not propose to suspend the liberty of the subject in this manner for five years. How did the matter at present stand with respect to forges? Without carrying out the present law they called for fresh penalties—penalties of a most monstrous description. Under the present law no smith could be deprived of his forge licence unless he had manufactured pikes; but by this bill he would be liable to lose it for any crime or misdemeanor; nay, even if he should be thought an improper person. What would the people of England say to such a law? Why should the Government try an experiment with the people of Ireland which they would not attempt with the people of England? With respect to that perfectly new clause relating to pikes, he must say that it would have a most vexatious and inconvenient effect. He should be afraid to walk with his fishing-rod in his hand, for fear it should subject him to disagreeable inquiry under the provisions of this measure. He was sorry to see the disposition that was strongly manifested to pass this bill. If it should pass they would find it much more difficult to keep arms out of the hands of the people than heretofore. What was the difference between England and Ireland for the last few years that the Government should be induced to introduce a measure of this description for the latter country and not for the former? Did the noble Lord (Lord Eliot) never hear of riots in the different towns of England? Did he not hear of riots occurring recently in Staffordshire and Wales? The noble Lord seemed to doubt these facts; but he and his Friends had a right to turn round upon the Government and say, that England was as prolific of crime as Ireland, and he therefore felt he had a right to complain of the unjust application of this obnoxious law to Ireland exclusively. Every person remembered the riots that had taken place in Monmouth, when an armed mob came down from the mines and collieries to storm the town. Did the Government of that day get hold of the arms of this mob, or did they come down to this House with any proposition of this description? No, but they permitted these rioters to retire back to their respective homes with their arms still in their possession. Let them but consider that it was only the other day that a most serious affray took place in Manchester, to which he could not now avoid drawing their particular attention. He had seen in the morning papers of that time a description of this outrage, which was one of the most extraordinary description he had ever heard. He doubted whether the noble Lord would be able either in England or Ireland to match this statement. Upon the 19th of this month the London papers recorded this outrage in Manchester, in which there was a well disciplined and organised mob of 300 or 400 persons engaged, armed with muskets, pistols, and others arms. There were ten volleys fired by each of the antagonistic parties, and a most desperate struggle ensued, which lasted about fifteen minutes. Why, the reports of the war in Algiers were, in his opinion, but mere marauding parties in comparison to what had then occurred in Manchester. Nothing but the want of further ammunition had put an end to this deadly encounter. He would ask her Majesty's Government had they ever attempted, or had they it in contemplation, to bring forward any bill of this character to prevent these 400 men from again recurring to a similar outrage, and yet they were telling the House that they were treating Ireland in the same way as they treated this country? He considered that this was the most pitiful kind of legislation, and which had a tendency to spread the most general discontent throughout the country. He should give it every opposition, and as far as his vote went he should never consent to its introduction into his country. He cautioned the Government against carrying forward this obnoxious bill against the will of the people. If they did not desist in time they would deeply regret it. They might go on unmindful of this caution until they saw 8,000,000 of people driven to the very verge of rebellion, when they would no doubt perceive the necessity of offering conciliation to the injured people of Ireland. But were men acting in such a way fit to govern any country? He told the Government that they ought to have purchased wisdom by the experience of the past. The noble Lord, as a pretext for this measure, said that outrages had taken place in Ireland. He would, however, refer the House to a record of the crime in Ireland in the year 1837 and the present period. The homicides in 1837 were 230, and in 1842, 106. Persons charged with firing at individuals in 1837, 91; in 1842, 74. Aggravated assaults, in 1837, 924; in 1842, 420. Robbery of arms in the former year, 246; in the latter, 138. Attacking houses, in 1837, 603; in 1842, 337. He would remind the House of the observations which had been made by a gentleman of great eminence in this House when a measure of this description was proposed in the year 1807. Sir Arthur Pigott at that period said,

> "If this be the boon you are granting to Ireland—if Parliament does not see the necessity and the wisdom of governing Ireland by lenient and conciliatory measures, and thereby fulfilling the hopes which it has taught them to expect, it would only excite hatred and disgust towards the British Government, and I can only say that I greatly lament your blindness."

He must say, that he, too, lamented the blindness of the present Government. He was determined to offer to the measure every opposition in his power. They might, however, succeed in carrying it through Parliament, but before many years were passed by, they would lament this course with feelings of the utmost bitterness.

Colonel *Conolly* said, that in earnest desire for the prosperity of Ireland—in anxious regard for its best interests, he could not yield to the hon. Member who had just sat down, or to any other Gentleman on either side of that House. In the fullest anxiety for Ireland's true interests he was prepared to give his support to the present measure. As a magistrate of many years' standing—as a resident who gathered his information from actual and personal experience, he would be bold to say, that there was hardly an offence of any description, whether in violation of the law, or arising from the resistance made to carrying the law into effect, that was not created, or at least seriously aggravated by the habitual resort to arms and deadly weapons. In the very ordinary proceedings of law in the serving of notices, law papers of every kind, resort to arms was constantly had, and in almost all those cases arms were opposed to arms. The deplorable results of this widely prevalent practice be needed not to detail to the House, the existence of the evil was not denied, and he must say that no argument had as yet been adduced to weaken his firm belief, that the evil might be mitigated by a measure which would deprive all parties of that facility in resorting to arms, from which there were constantly occurring pernicious results. He agreed with the hon. Member for Northamptonshire (Mr. S. O'Brien) in regretting that in many instances unwise conduct had been pursued towards Ireland, and he, too, felt that, in the two instances specially adverted to by that hon. Gentleman, the course adopted by the present Government had not been most satisfactory; but he also agreed with the hon. Member in demanding protection for the peaceable and well disposed in Ireland. To that end he contended this measure was imperatively called for: and to that end it was introduced by the Government. He had listened with attention—with anxiety, and he must add, with great pain—to the addresses of hon. Gentlemen opposite in the course of this debate; he was sorry to find the measure met with such continued volumes of abuse. Since first it had been brought into the House by the noble Lord the Secretary for Ireland, this protective measure had been assailed with the most unjust and unfounded clamour. Even in this House it encountered unfair and unscrupulous opposition. Hon. Members opposite had indulged in long and eloquent tirades, but tirades most uncalled for, and observations most irrelevant—not venturing on any evidence to prove that the bill was unnecessary—not attempting to show that it was uncalled for, but apparently confining all their reasoning to the assertion that a measure such as this for the prevention of the frightful abuse of fire-arms, would strengthen the hands and would justify the conduct of those who in Ireland were straining every nerve, exerting every influence, grasping at every means of exciting and infuriating the Irish people. They were asked tauntingly, by some, why there was any difference between England and Ireland? There ought to be no difference either in the law or the mode of its application in both countries. But a difference, a sad contrast did exist, and he feared not to assign the cause: it was because the Irish people were not let alone. It was because that in Ireland there were demagogues driving the people to distraction, infusing notions of jealousy that had no foundation, sowing the seeds of social hatred, and unwearyingly, everlastingly, irritating and exasperating the feelings of the duped and deceived people. Of his fellow-countrymen he felt happy he felt bound to say—and he said it with a grateful experience of their affectionate disposition, when not misled by ruinous and traitorous counsels—that they were as amenable, as susceptible of every kindly impression, as ready in obedience to the law, as the inhabitants of any other land. But they were never let alone — their generous disposition was abused, their quick feelings excited, their ardent imaginations fired, by gross and cruel misrepresentations, by relations of unreal grievances and fancied wrongs. He feared that he must inculpate hon. Gentlemen opposite, the hon. Member for Dundalk in particular—that he must ascribe to those Gentlemen participation in the unfair and unjust means used to excite the people—those Members who even in this House displayed so much heat and so little fair play towards their opponents, in trying to keep arms in the hands of an infuriated populace. The most gross and scandalous misrepresentations were being daily made to that people, the fiercest agitation was being fostered and fomented—not for the removal of any positive, demonstrable existing ill, but for the visionary attainment of some remote and unknown good. Unfeeling men were worrying and distracting the people, diverting them from their ordinary occupations and cares, congregating them in thousands and holding out to them false hopes upon the ideal repeal of the legislative union — a speculative question of the character and merits of which the vast majority was wholly ignorant, and the very meaning of which not one in ten understood. The cry of repeal was only a delusion; it was raised but to mislead—it was meant to conceal the real objects of the agitation. Through the assumed concealment he saw—the wicked intentions were seen through the thin veil, and he, in common with his class in Ireland, knew what was the real object of attack; and he thought he was justified in inferring that even in that House the object was discernible. He thought he was justified in saying that the line of argument and observation pursued by the hon. Member for Rochdale upon this bill was a dissertation on the law of landlord and tenant in Ireland. But that was a subject of a very tender kind, one which, at least, required calm consideration. It was one to which unguarded language ought not to be addressed; for it was an exceedingly exciting topic in that country —a topic which had, by the foulest misstatements used in respect to it, rendered the possession and the use of arms still more dangerous. He thought the language of demagogues even more dangerous than gunpowder; it was infinitely more inflammatory in every way. Not alien to this consideration was his regret in listening to language used by Members of that House in relation to the magistracy of Ireland, upon whom sweeping condemnation was cast, by the hon. Member for Dundalk in particular. [Mr. *Redington* reminded the gallant Member that he had taken care to make exceptions.] It was true the hon. Gentleman had admitted there were exceptions, but he complained of the assault on the general body as unwarranted. He must protest against that sweeping abuse of the magistracy, and pronounce as unfair and unfounded the imputation, that in the discharge of their official duties under this bill they could lend themselves to unworthy motives, whether of a personal, a political, or a religious animosity. And why was this abuse volunteered? Because the magistracy was the mechanism by which the enactments of this bill were to be carried into effect. Surely this was most unjust. He had had the experience of many years acting in conjunction with that body, and from his intimate knowledge of it, he would blush to permit such undeserved reproach, such unfounded and sweeping abuse to be cast on its Members without an indignant protest on his part. He said it with pride and with fearlessness that in a high-minded sense of duty, in anxious regard to justice, in questionless impartiality, that body was inferior to none. He could not stoop to vindicate the magistrates of Ireland as incapable—they could scorn the gross attacks of those who calumniated them; but he would unhesitatingly vindicate the body against the charges—the groundless charges—brought against them in this House. He was glad, however, that it was only as an objection to this bill that the hon. Member for Dundalk had made his charge against the magistracy—he was glad that their general merits were unassailed. But even as regarded the enactments of this bill, how stood the case? Admitting for argument's sake—but not, for one moment in reality admitting—that the hon. Gentleman's fears were well-grounded, and his imputations not utterly unjust—supposing that in particular localities individual magistrates might be liable to suspicion on personal, political, or any other grounds, in their official conduct towards persons affected by this bill, that objection was answered by the fact, that the present measure would remove the power to carry out its provisions from the local benches to the quarter sessions. Surely hon. Members would not contend that, at quarter sessions, a whole bench of magistrates would do that which was unfair, improper, or oppressive. Whatever may be the calumnies circulated against Members of that body, he had ever heard the quarter sessions spoken of by all classes, and all parties, with all imaginable respect; that court was looked on as a great and indisputable benefit and blessing by all. It was absurd—it was monstrous, to anticipate from that court unfairness and oppression, personal malignity indulged, or political antipathies triumphant over justice. The questions which would arise under the provisions of the bill would be decided in open court, where juries would be empannelled on the following day, where every care had hitherto been taken with perfect success, and where every care would continue to be taken that everything should be done with strict impartiality and unquestionable fairness—where public confidence was, and would continue to be safely reposed. There had been a great deal of beautiful eloquence about Irish slavery. True, there was slavery in Ireland. She was enslaved—she was tyrannised over by the force of an agitation to which numbers were compelled, against their honest convictions and their secret, earnest wishes, to succumb—to which thousands were subdued by clamour, tumult, intimidation—who, if they had the protection requisite to individual security, would gladly extricate themselves from their grievous slavery. That was the slavery under which Ireland laboured. To aid in rescuing the people from that slavery this bill was meant; and no just ground existed for now raising that everlasting tocsin that rang so gratingly of domination and oppression. It was utter nonsense—nothing short of that offensive term was applicable to the attempted analogy—under such circumstances to talk of not treating Ireland in the same manner as England. Before Gentlemen talked thus, let them, at least, permit an effort to be made to introduce something like an equality between the two countries in respect to the security of life and property—let law vindicate her own injured, and insulted dignity in Ireland—let the peaceably inclined be secured their unbroken quiet—let them not, with trembling and unwilling hearts be forced into courses which they abhor—let them be rescued from the indiscriminate oppression of congregated multitudes, and the heartless machinations of restless demagogues, seeking to incite disorder and wide spread confusion, promising out of the turmoil, the realisation of prospects that are illusory, and can only be ulterior to the dismemberment of the empire. It was not creditable to introduce into that House all that sort of spouting which was unhappily so much in vogue in Ireland; and which here must only be looked on with contempt, when those who indulged in it were enabled to urge no relevant or rational argument against the continuance of a measure which had been so long in existence, and which was of such distressing necessity.

Mr. *Carew* said, that, in rising to support the amendment of the hon. Member for Rochdale, it was not his intention to detain the House by any details which the importance of the measure under consideration might perhaps justify, but rather to attempt to impress upon hon. Members opposite a few important truths relating to the state of Ireland at present—truths which, however well they might have been known, however well they might have been acknowledged, had not, at all events, been acted upon in that manner which proved that the knowledge of them had had the effect which truth might generally be supposed to produce in the minds of those who were disposed to govern a country on the principles of equity and on the principles of justice. He felt it his duty to oppose the bill of the noble Lord, because he was convinced that it was not the kind of legislation that Ireland wanted, because the bill itself was unnecessarily stringent and severe, and he thought that he represented the feelings of his constituents on the occasion, when he said that they deeply lamented that the Government measure as regarded them should be such as this bill sanctioned. For the sake of Ireland—the prosperity of that country—the well-being of the various classes of which society was there composed, were all so intimately connected, so closely bound up with the prosperity of England, that in that House he trusted it was needless to enlarge on that point. The question was, how did the Government promote its welfare? How did they contribute to its prosperity? In what state had they found it? In what state was it now? And to those simple questions he feared that an answer but little satisfactory to the well wishers of the country could be returned; and, he feared much, should not a conciliatory policy be acted upon, that, before long, perhaps before very long, that answer would be still less so. They had already tried the rigours of the law; penal enactments had, before now, been enforced, which had far surpassed in their practical results that which even a refined cruelty might suggest. They had oppressed where they should have cherished, and how could they now wonder at the results of their oppression? They had used the power which had been put into their hands, a mighty power for evil or for good, and what was the result? They had entirely —they had most signally—failed. Such, then, being the case—and he contended that it was undeniable—he appealed to hon. Members opposite if it was a course which might be considered unwise—or if it was a course which might be deemed inconsistent with an earnest regard to the interests of the country—if he pressed upon the House the necessity of legislating upon a different principle from that which was embodied in the bill before the House. Coercion had been tried before now—with what success hon. Members had seen. Let them try what an opposite line of policy might effect; and if they sincerely adopted that line of conduct, if they were not satisfied with words, but if they acted up to their professions, let them be assured that the bill of the noble Lord would be unnecessary, as it would be useless. If example could have the effect of causing the House to take this view of the question, he would suggest the difference between the effects of the Government of Lord Fortescue and the noble Marquess who had preceded him, with the results, and the necessary results of the present system. To illustrate that statement by a plain and undeniable fact, he would call the attention of hon. Members opposite to the reception which the Marquess of Normanby met with during an extensive tour of Ireland, made in the year 1836. Nothing could exceed the enthusiasm of the country. Large public dinners were given to the viceroy in all the important towns; addresses of loyalty and congratulation were poured in at every stage; in fact, his progress was a continued triumphal procession through the land. And was there no cause for the demonstration which, not only locally, but generally, took place? Could it not be traced to the gratitude which the Irish nation felt towards the sympathising and conciliating Government of the day, who had pursued a policy to which Ireland had unfortunately been little accustomed to, and which to demonstration was the only policy which could produce a lasting and a permanent effect in that country. He mentioned this circumstance because he thought it strictly illustrative of the case in point. And if the union, which bound Ireland to England, was to be more closely cemented, it was not to be effected by penal statutes, nor by a coercive and distrustful legislation. Let them redress the grievances of Ireland, and then they might trust her with arms without peril. Let them grant measures of equal justice, and they would effect what every well-wisher of the country must desire. They would establish peace, order, and their necessary consequence, prosperity; whilst they would make their Government strong, respected, and, what it was not at preseut, successful.

Lord *Bernard* said, that it was with great reluctance, that he came forward to take part in a debate which had been mixed up by hon. Gentlemen opposite with those party feelings, which marred the prosperity and retarded the improvement of Ireland; but representing a constituency in the south of Ireland, and speaking the sentiments of Gentlemen possessing a large stake in the most important agricultural county in Ireland, whom political circumstances prevented from being represented in that House, he felt bound to come forward to thank the noble Lord and her Majesty's Government for not yielding to the clamour which had been raised out of doors on the present dreadful state of Ireland. He rejoiced, that the Government had not consented, under such circumstances, to withdraw a power which would expire at the end of this Session of Parliament. His right hon. Friend (the Attorney-General for Ireland) had shown the principle of the measure to be the same as that which was brought forward by the Government in 1841, when, not a single Irish Member opened his lips. The speeches of the hon. Member for Rochdale, and other hon. Members opposite, had powerfully shown that this measure was most necessary. It had been admitted by them, that the state of Ireland was not satisfactory. The noble Lord, the Member for Leitrim (Lord Clements), had told the House of a case which had occurred in his own county, in which he had induced a party to give up concealed arms. The noble Lord's position and influence might have enabled him to do this, but was it probable, that other magistrates, not having the same influence, could do as much in crushing the evil complained of. What had the right hon. Gentleman, the Member for Dungarvan (Mr. Sheil) stated on a former evening relative to the frightful condition of the county of Tipperary? Had not that right hon. Gentleman shown, that witnesses, who had given evidence which convicted the offender, had been actually expatriated? Was this a state of things to exist in a civilised country? Hon. Gentlemen said, why not bring forward whatever measure may be necessary for the disaffected parts of the country? But those hon. Gentlemen knew that such a measure would be inefficient unless it extended over the whole of Ireland. Connected as he was by property with an agricultural county, which was greater in size by 700,000 acres than Tipperary, he might be asked why he supported the bill. He did so because, seeing that by the last report there were but nineteen outrages in Cork, whilst in Tipperary there were sixty-eight, he desired to know why the exertions of the county of Cork for the improvement of the country were to be paralysed, and capital kept out from employment? Was it because one part of the country was legalised to be disaffected? To show the progress which the repeal agitation was making, the noble Lord read a letter he had received from a magistrate in the county of Cork.

"I am sorry to tell you, that the repeal is rapidly progressing, even in this remote neighbourhood, the peasantry are persuaded the union will be repealed at once, and then they will get their share of the property of the country as they have been slaves long enough. I am not alarmed, but feel satisfied if Parliament breaks up without passing some measures to stop these large meetings, and to punish seditious language, the worst results may be apprehended."

The noble Lord then adverted to the injury which would be done to agricultural improvement, and alluded to the great agricultural meeting at Cork, and read the following from the report of the Agricultural Improvement Society of Ireland.

"The council has to congratulate the society at the conclusion of its second year, upon the progress it has made in public estimation, as well as in effectually carrying out those objects which were originally put forward as the basis of its institution. In the increased confidence they have met with in every question; but above all, in the wide extended desire and spread of agricultural improvements, which has lately displayed itself in Ireland. They cannot but see evidence of the practical and beneficial effect they have already produced. It must be gratifying to all who are interested in the society to reflect, that notwithstanding all the difficulties it had at first to contend with, its progress has been uniform and undisturbed, every feeling seemed to be merged in the one all-absorbing desire of directing the newly developed energies and excitement in a proper channel, and to the public good. In the year 1841, only twenty-three local societies were in connection with the central one, in the year after the number had increased to fifty-three, at present there are no less than eighty."

And he would, therefore, ask the House whether, in order to satisfy some fancied notions of liberty of the people of one part of the country, they were to paralyse the exertions which were made in the country through such societies as those to which he had adverted. He wished to make a few observations with regard to the speech of the noble Lord, the Member for London, who had supported this bill on what appeared to him (Lord Bernard) extraordinary grounds. The noble Lord stated, that when his Government brought forward a measure of a similar nature they at the same time introduced measures of conciliation. Now, he was at a loss to conceive to what measures the noble Lord could have alluded. Did the noble Lord forget that he and his Colleagues came into office, pledged to the people of Ireland to carry the appropriation clause or resign. He begged to ask the noble Lord whether he redeemed that pledge? The measure which in his opinion had produced the greatest dissatisfaction in Ireland, on mistaken grounds, he admitted, was the Irish Poor-law; but was it not unfair to taunt the present Government, because they could not, under the present circumstances of the country, abolish that measure, which had as yet scarcely had a fair trial? The whole mischief had resulted from the manner in which that bill had been drawn up by the late Government, and from their mixing it up with politics. As in political questions the battle was fought on the hustings, so the battle of the municipal franchise was fought at the Poor-law boards. In his opinion too, the Poor-law commissioners were by that bill invested with political powers which they never ought to have possessed—he alluded to the power given them to define the franchise for Poor-law guardians, a difficult question at the time, even for Parliament to settle; he alluded also to the appointment of chaplains. The noble Lord claimed for his Government the whole credit of having conciliated the Roman Catholics. He (Lord Bernard) would yield to none in anxious desire to conciliate that body; he had always used his utmost endeavours to that end in private life; nor was there any concession which he would refuse them short of what he believed detrimental to the Established Church and the legislative union. But when the noble Lord claimed to have made these concessions to the Roman Catholics, he ought to have said, that he threw every disgrace in the way of the Protestant magistrates, and endeavoured as far as he could to exclude from offices of honour those who were opposed to him in politics; and yet the noble Lord made it a matter of accusation against the present Government, that they had not appointed their "political" opponents. But he had yet to learn why an hon. Gentleman who had earned distinction in political life was unfit for a high judicial office. If the noble Lord had acted upon the principle he recommended. If there was one man more respected than another, of the highest legal attainments, it was Chief Justice Pennefather; and his predecessor, in the seat which he now filled (Judge Jackson) had upon his first circuit in Cork, an address presented to him, signed by men of all parties, congratulating him on his appointment. While he strongly deprecated coercion, and sincerely wished to preserve the liberty of the subject, he nevertheless sincerely hoped, that if the time should come when such a step should be deemed necessary, the Government would take the earliest opportunity of asking Parliament for additional powers, in order to put a stop to the agitation for the purpose of dissolving the legislative union. He could not look upon that as merely injuring England, it would affect the happiness of Ireland no less than the welfare of this country. It is my firm conviction (continued the noble Lord), should this agitation at the future time succeed, that our children or our children's children will have cause to lament the day, and live to deplore the folly of their ancestors; and looking back on their prostrate strength, the tarnished honour, and the departed glory of what was once the mightiest empire of the world, will exclaim, in the impassioned but melancholy words of the poet,—

"Venit summa dies et ineluctabile tempus
Dardaniæ: fuimus Troes, fuit Ilium, et ingens
Gloria Teucrorum: ferus omnia Jupiter Argos
Transtulit: incensâ Danai dominantur in urbe."

Mr. *W. S. O'Brien* opposed the present bill, not only on account of its special enactments, but also on account of its general principle. He claimed for Ireland the same rights with respect to bearing arms as those enjoyed by Englishmen, the same rights as those enjoyed by the subjects of the most despotic powers, the same rights as those permitted to the New Zealand savages, who were lately allowed to attend the funeral of the governor of that colony with muskets in their hands. He did not mean to assert that emergencies would not arise of sufficient gravity to warrant the Government in applying to Parliament to strengthen their hands; but had such a case been made out? He had expected that the noble Lord would have alleged the notorious and wide-spread discontent in justification of his measure, but the noble Lord prudently abstained from touching upon that topic. Nothing could prevent the repeal agitation but a rebellion, in which victory could be scarcely less disastrous than defeat, or ample, fair, and full justice, to the Irish people. The only ground alleged by the noble Lord was the outrages committed in Ireland. A lamer case was never attempted to be made out. On what testimony was it founded? On the evidence of the landholders and resident gentry?—No; but on the authority of Scotch commissioners of police. Without intending to say anything to the disparagement of these gentlemen individually, he must be permitted to observe, that it was the uniform tendency of all connected with official departments, whether in the Poor-law commission or the constabulary, to take to themselves as much power as possible. On referring to returns, he found that the number of outrages committed during the last few months in England exceeded those perpetrated in Ireland. Did the noble Lord wish to put an end to repeal agitation? He would tell him the way. It was not to be accomplished by an arms bill, but by looking to the welfare of the people. He was the last man to exclaim against the landholder or the rights of property; but, at the same time he held it to be the duty of the executive Government to endeavour by all possible means to check that tendency to depopulation which was but too prevalent even with the head landlords, he would not except himself. Never did anything raise so great an outcry as this fatal system of clearance—this principle of extermination. Within the last two months a series of letters had appeared in the Irish papers stating that Lord Hawarden had, within a certain number of years, turned out not less than 200 families, comprising 1,300 individuals; and this was done in the most disturbed part of Ireland. He thought some explanation was due from the noble Lord himself, or from some of his friends, for the statements were put forward under the name of a Roman Catholic clergyman who resided within two miles of the spot where the transaction was alleged to have taken place. He called upon the noble Lord the Secretary for Ireland, to follow up the maxim enjoined by his predecessors, "that property has its duties as well as its rights." He found many unwelcome novelties in the present bill, such as the branding of arms and the necessity of applying to petty sessions in case of losing the licence to keep arms, with other similar vexatious regulations. The statute at present in force was comparatively an innocent measure, and if the renewal of that had been proposed, it would most likely have passed without any observation. His objection to the bill now before the House was, that it would have the effect of disarming all the respectable people of Ireland. Persons of the most unexceptionable character would be prevented from having arms or ammunition. Should such an enactment be passed, the first thing he should do, would be to send his arms to the constabulary, and beg them, to keep them in safe custody until the law should have expired. But the greatest objection to the measure was this, that whilst it would be operative on all the respectable classes, it would be utterly nugatory upon all the disreputable classes. It would render their disposition more confirmed to disobey the existing law. But while it would be utterly nugatory as a measure of rigour for the repression of crime, it would be anything but nugatory as affecting the feelings of the people. It had already excited great discontent. It was only yesterday that he met a gentleman, well known to many in that House—Mr. Bianconi. That gentleman had hitherto been adverse to a repeal of the Union, but the first effect of his reading the Arms Bill was to induce him to send in his subscription, in order that he might be registered a Repealer. That gentleman said, that his reason for doing so was, that when he first came to Ireland he saw so much oppression and persecution in the administration of similar measures, that he was determined to do all he could to prevent any Government in future times to enact such a law. In conclusion, he would once more implore the noble Lord to abstain from pressing this measure. But should the noble Lord persist, he would find his opposition, so long as he had a seat in that House, a determined one. He could tell the noble Lord, that not only he, but many whose sentiments he spoke, would divide not only on every stage of the bill, but upon every clause.

Captain *Layard* said, that for his part it was not so much against the different clauses of the bill now before the House that he meant to object, as that he objected to the bill entirely and altogether. He felt that a more dangerous measure could not be brought forward at any time, and particularly at the present, when Ireland was known to be in such a fearful state of excitement; and he did trust that her Majesty's Ministers, finding how extremely unpopular such a measure would be, and how likely a perseverance in it was likely to lead to consequences the most deplorable, would at once and without further delay abandon it, and by that means show to the people of Ireland that it really was their intention to govern that country with justice and impartiality. But should the Government remain deaf to all warning, and determine to take the heavy responsibility upon themselves, he still trusted that the love for fair play which was supposed to govern Englishmen would, upon this occasion, make a large proportion of that House at once step forward, and by their votes record that they would be no parties to the passing of a law which was an insult to the feelings of the people of Ireland, as well as a cruel injustice. He asked the Government, he appealed to the right hon. Baronet at the head of that Government, if when the people of this country in the late disturbances not only had arms, but used them, if they dared to bring forward a bill like the present? He asked hon. Members if they believed such a bill would have been submitted to in this country? He appealed to the Members for Scotland if they believed such a measure could have been carried into effect in their country, and what right, he asked, had any Government to bring in a bill for Ireland that the people of Scotland, that the people of England would not submit to? Was this even-handed justice? Was this what Ireland had a right to expect? The right hon. Baronet had told them on coming into office that Ireland would be his chief difficulty; it must and would continue to be so, if different laws were thus to be thrust upon the Irish. If the right hon. Baronet found he could not govern the country, why not resign? There were those who had governed it, as Lord Normanby and Lord Fortescue, who by mild and yet firm measures had made Ireland happy and contented. He knew he should be told that there was always an Arms Bill, but this bill was more stringent. But he objected to an Arms Bill at all. He objected to any and every measure that could for a moment make the people of Ireland believe—which, alas, they had too much reason to do—that they were to be treated differently to this country. He believed this bill to be unconstitutional and in every way adverse to the liberty of the subject. It was said — but by the commonest observer it would be treated with ridicule—that this bill was to prevent assassination. Now did any man in his senses believe that it would? Certainly not. When those wretched men attempted the life of her Gracious Majesty, did the Government think it advisable to bring in such a bill? or when the life of that unfortunate gentleman (Mr. Drummond), whose fate all must deeply deplore, fell a sacrifice to the hand of the assassin? But those fearful crimes did not seem to the Government a sufficient reason for bringing forward such a measure. He could assure them that Irish Gentlemen wanted not their kind interference, and for his part he thought that life was not worth having if it was to be protected and enjoyed only under such a law as this. But the fact was, that Government had other fears; and which fears he believed, only treat the people with common justice, would be found to be perfectly groundless. He felt assured the people of Ireland had no wish or intention to break the laws of the country. He believed that the spread of temperance (that most wonderful of all reformations) would make it impossible that anything like an outbreak could or would take place. The voice of the nation—the voice of the Irish people was against this bill. Formerly it was said, *Vox populi, vox Dei.* Do not let it be said in this case, *Vox populi est nihil.* He had been quartered in most parts of Ireland and had resided there for some years. He had, therefore, an opportunity of bearing witness to the many excellent qualities of the people, amongst which a sincere love of justice was one of the most prominent. He could hardly express his astonishment and dismay, when he first saw this bill, knowing, as he did, the fearful effect it must have on the minds of an easily-excited people. He called upon the House, he entreated hon. Members, not to do so foul a wrong as to pass this measure. What! are those who have carried your arms to the furthest parts of the world with honour and renown—who have offered their lives, and spent their best blood in defence of your liberties—are they to have this cruel indignity passed upon them? It was said by the ancients that those whom the gods meant to destroy they first allowed to go mad. For his part, he believed the Government must be bordering on that state, to bring forward such a measure at such a time, a measure that could have no practical good result, but would only serve to inflame men's minds. If the Government wished to play into the hands of their enemies, they could not more effectually to do so than by bringing forward such a measure. He could tell them the effect it would have; it would drive men to become what they never had been and never intended to be. For his part, he believed this bill to be contrary to the British constitution—a constitution from which men drank in that spirit of independence which forms the foundation of every moral and political virtue; for let it be remembered that moral and political virtue, properly understood, are the same. For who can be a lover of morals, of virtue, and of God, that would oppress his fellow men, or give his voice in favour of a measure that so evidently had that tendency? He conjured them to consider well before they voted in favour of this measure; and at any rate he trusted that no Irish Member would be found voting for a measure that was so directly contrary to the liberty, and therefore the welfare of his country.

Mr. *Watson* said, that although an Englishman, as an Irish Member, he thought it his duty to offer some objections to a bill the operation of which was to place 8,000,000 of their fellow citizens beyond the pale of the constitution. It was a bill destructive to liberty and contrary to the constitution of the country. It was acknowledged by the Bill of Rights, which being declaratory was part of the common law, that every citizen had a right to possess himself with arms for any lawful purposes, and that bill was as applicable to Ireland as to England. When he first read the present bill, he could hardly conceive such a measure could be submitted to the Legislature of this country. What were the arguments in favour of it? The noble Lord (Lord Eliot) offered two reasons. The first was the reports of several persons connected with the police in Ireland. Now, he would not pass a bill of this nature on the report of all the persons connected with the police in Ireland, because he knew that the police in every country always acted in restraint of liberty, and always represented the powers given to them as not sufficiently strong to enable them to perform their duties. Before they were called on to pass a measure so destructive of the first principles of liberty they should have the opinions of magistrates, noblemen, and gentlemen resident on their estates, and not rely solely on the opinions of the constabulary. Another argument was, that acts substantially the same had been in operation many years. The first of these had been, he believed, found in the cabinet of a predecessor of the noble Lord, and was brought in by the Whig Government in 1806. It had been said that these measures differed from that before the House, but he had looked at all of them, and found them all so radically and entirely bad, that he would not waste the time of the House by comparing and collating them. The noble Lord stated, as one of the arguments in favour of the bill, that there was a precedent for its introduction. The worst of all reasons, that of a precedent, was offered as a satisfactory reason to that House for demanding its assent to a measure of the tyrannical nature of the bill under consideration. The Government was doing that in 1843 which had been done in times of riot and disturbance, and the only argument brought forward in defence of this measure was, that a similar one had been introduced by the late Government and sanctioned by the House. Why, there was not any species of tyranny and coercion which could be put in force against a people that might not be justified by reference to what had been done in former periods of danger and disturbance. He could not, consistently with the view which he conscientiously took of this question, support a measure so much opposed as the present to the liberties of the people. The eloquent and logical speech of the right hon. Gentleman the Member for Dungarvan had been followed by the hon. and learned Member the Attorney-general for Ireland, and all which that right hon. and learned Gentleman had to urge in defence of the measure was, that a similar bill was proposed and carried by the late Whig Ministry. Reasons like these, if admitted, might be rendered subservient to the justification of any similar act of oppression; and simply because Whigs and Tories had, during many years, alternately oppressed Ireland this treatment was to be perpetuated, and the chains which hung round that ill-fated people were to be rivetted closer. The House and the country had heard much of the repeal movement going on in Ireland; but who, let him ask, was at the head of that agitation?—whose name might be pointed to as that of the person most conspicuous as the promoter of repeal? Was it not that of the right hon. Baronet at the head of the Government. So long as the Government acted fairly towards Ireland, the repeal movement made no progress; but the moment coercive and harsh, as well as unjust, measures were adopted towards the people of that country, the repeal agitation advanced so rapidly that it had every prospect of being carried into successful operation, and that not by the people of Ireland, but by means of that Government which would not legislate for them. From the year 1841 to 1843, what conciliatory measures had been adopted towards Ireland? None. What was the purport of the right hon. Baronet's recent declaration respecting repeal? It was, that her Majesty's Government was resolved upon putting down that movement. Let him tell the right hon. Baronet that the present was the moment when the repeal agitation could be most successfully suppressed. Let the noble Lord (Lord Eliot) be permitted to do justice to Ireland as he believed was the noble Lord's wish and disposition, and that course, if persevered in, would conciliate the people and strengthen the bonds of union between them and this country; whereas all the attempts to curb and intimidate them by means of bayonets and cannon would only excite them to make still stronger efforts to relieve themselves from their oppression. He would give his determined opposition to the bill.

Lord *Claude Hamilton* said, that the hon. and learned Member who had just sat down had talked as if the bill before the House was an entirely novel measure, and as if it had been first brought under the notice of Members by the noble Lord in the present year 1843. He must, however, remind the hon. and learned Member that the provisions of the bill were of very ancient date in the legislative history of Ireland, and they had been considered to be absolutely indispensable by every Government that had, during many years, ruled the country. The hon. and learned Member had talked of rivetting the chains of the people of Ireland by means of the present bill, but he must take the liberty of observing that neither the principle upon which the measure was founded, nor the provisions embodied in the various clauses, were novel: but, on the contrary, they were long recognised, and had been sanctioned by repeated acts of the Legislature. The inconveniences, as well as the unconstitutional nature, of the provisions of the bill, had been much dwelt on, but it ought to be recollected, that every class of persons was equally treated by it, and he, as well as the poorest man in Ireland, would be obliged to submit to the restraints which it imposed. The bill made no distinction in persons, whether rich or poor, high or low; nor was there any distinction drawn between persons professing different religions—in fact, it was perfectly impartial in its application, and it would be far better if the hon. and learned Member had shown where the rivets that he spoke of were to be found in the bill, than to indulge in mere declamation. The hon. and gallant Member opposite had also put the question to hon. Gentlemen who represented Scotch and English constituencies, whether they would submit to have such a measure as the present carried into operation in their own districts or counties. It was obvious that laws were meant to remedy social evils, and to impose wholesome restraints upon all classes; and if the evils for which a measure such as the present was introduced did not exist in the countries referred to, with what justice could such a remedy be said to be necessary there? The right hon. Gentleman, the Member for Dungarvan, had drawn a vivid and eloquent picture of what the feelings of the people of Yorkshire would be if such a bill as the present were to be enforced in that district. But until that right hon. Gentleman could show that Yorkshire was in a state that needed such restraints as much as Ireland did, he could not admit that there was any parallel existing, If such a state of things could be shown to exist in Yorkshire, as unhappily was witnessed in Ireland, then he would be the first to join the right hon. Gentleman in his demand for an equal application to that county of the measure. Who that had heard the eloquent and forcible speech of the right hon. Gentleman who did not feel that there was a total dissimilarity between the two cases drawn by him, and, therefore, that identity of measures could not be said to be equal justice? What he meant by equal justice was, that it was essential to afford protection to the innocent and peaceable, and to punish and deter the guilty both in Ireland and in Yorkshire; and if circumstances rendered it necessary to have recourse to a different mode of proceeding in one county to that which was adopted in another, it would be extremely wrong to say that injustice was committed by this difference of proceeding. If hon. Members were to apply themselves to allay the irritation and to calm the passions of the people with half the energy which they displayed on behalf of Ireland in that House, there would, he apprehended, be a very different state of things observable from what was now seen there. He did not mean to imply by this, that they did the reverse, but it was a natural consequence for men when wrapped up in and engrossed by their own thoughts, to neglect other distant and less pressing matters. Let him ask the right hon. Gentleman, the Member for Dungarvan, whether he would for an instant put the county of Tipperary on a footing with Yorkshire in point of internal tranquillity or security of person? Did not that right hon. Gentleman, in the height of his indignation at that clause of the bill which provides that any person convicted of the illegal possession of arms in Ireland shall be subject to seven years' transportation—did he not, even whilst denouncing that proviso, afford an ample proof of its necessity, by stating, that he was obliged to use his influence on one occasion in Ireland to procure a safe asylum for some witnesses on a prosecution, before they would be induced to give their evidence? and was this course not necessary for their safety, as otherwise they would have been shot by the friends of the convicted party? This was the reason why it was necessary to deprive the people of Ireland of arms. The hon. Member for Limerick had objected that the bill would only deprive the peaceable, well-conducted, and honest classes in Ireland of their arms, whilst it would leave the ruffians and turbulent part of the population in possession of theirs, for the former would give up their weapons, whereas the latter would secrete and preserve them. Why should this be the necessary consequence of the bill? Why should the honest, peaceable, and well-conducted peasant or farmer in Ireland be deprived of his arms? He could retain them upon applying for a certificate; and what shame would there be in applying for that which the first nobleman in the land would, equally with himself, have to provide himself with? Who but the person that meant to make a bad and revengeful use of his fire-arms would neglect to provide himself with a certificate, or would seek to conceal his possession of such a weapon? The particular arms sought to be obtained under the act were not those used in sporting, but were muskets, rifles, and other firelocks of a more dangerous description, and it was for the House, therefore, to consider what purpose those arms were destined to serve when their owners would at all hazards conceal them from observation, and refuse either to give them up, or to obtain a legal permission for their retention. The bill should have his hearty support.

Mr. *C. Buller:* If this bill were introduced without reference to immediate objects, I confess I should not feel a deep interest in its fate. This bill, under other circumstances, and as the mere continuance of the law as it formerly stood, need excite very little interest in this House, or out of it. That such must be the case, is shown by the conduct of the Irish Members, when this bill was proposed by the late Government, and when it was accepted as a matter of course, without the slightest objection to its provisions. I shall not, in order to defend the present conduct of those Members, maintain that there is any difference between the provisions of this bill, and that formerly introduced. I, myself, am resolved to defend my conduct on far more general grounds, and I say frankly, that if this bill were brought in by Lord Morpeth, and if the powers to be exercised under it were to be exercised by Lord Morpeth, who so unquestionably enjoyed the confidence of the Irish people, I should think this bill a matter of perfect indifference. But, Sir, I look to what hands the powers given by this bill, are to be committed. It cannot be denied—the Gentlemen opposite have admitted—that it is restrictive of liberty, that its provisions go to enlarge the powers of the executive. Is it illogical, that before I assent to grant such powers, I should ask in what spirit they are to be exercised, and whether they are to be entrusted to a Government having the confidence of the majority of the Irish people, or only that of a minority detested by that people? On this plain ground I rest my opposition to a bill, of which I thought nothing when it was formerly brought before Parliament. The Government to whom I formerly entrusted the powers of this bill was a Government which, amongst other advantages, exerted the whole of its administrative powers in accordance with the feelings of the Irish people. If it could not complete its good intentions by measures of legislation, it was not its fault. And the Irish people attributed their shortcomings to the absence of power. Sir, the present Government wants no such power. They have a majority in this House, they have a majority in the other House, ready to assent to any measure brought forward by them for the remedy of the evils of Ireland. Even on the avowal of hon. Gentlemen opposite, the Arms Bill by itself does not propose to remove those evils. It was put very ingeniously by the hon. Member for Northamptonshire—whose speech gave a promise of good feeling and ability, which I am sure future opportunities will amply fulfil — that this bill was intended to protect the well-conducted portion of the people against assassins. Does not experience show the miserable futility of such measures for the suppression of outrage? Have not secretary for Ireland after secretary given us details of the invasion of houses, the destruction of property, and the reckless sacrifice of human life? All that time you had an Arms Act. Is there the slightest evidence that it ever prevented any number of outrages? I must confess it seems to me to be the universal characteristic of such a measure, that it disarms the victim without putting any serious difficulty in the way of the assailant. Do not suppose that they who wish to commit deliberate murder; who plan it as they do in Ireland, for days, weeks, and months; who come from distant parts of the country to localities in which they are unknown; who are assisted by a band of ruffians—do not suppose that such men will ever fail from want of arms when they come to a house to pillage, or to massacre an aged man (as was referred to) in the midst of his family, or to assist at the abduction of a young woman from the house of her parents? Why, these outrages have been committed during the operation of bills founded on allegations of violence, far more startling than those adduced by the noble Lord. But I must confess that I should have taken little part in those debates, if I looked to nothing but the bill before the House. I look at it in connection with the government of Ireland. Under pretence of protecting one part of the peasantry against another, the real object is to protect the Government against insurrectionary movements. I want to know by what means you intend to prevent them? Is it by an Arms Bill that you are to quiet the Irish people? Or is it by such a policy as will deprive them of all inclination to rise against the law? I perfectly admit, that the late accounts are calculated to inspire the utmost terror; I believe such an organization for effecting a change in the constitution was never before witnessed in any country, and could never be allowed to go on without succeeding. It is quite clear, that it is the determination of the Irish people to reject all offers from the Government; it is quite clear they have no confidence in them. It is quite clear that they look to nothing—that is, nine out of ten of the Irish people—but legislative separation from England as a remedy for all their evils. Now, it is needless for an English Member to argue against such a doctrine. None of us can say a word in favour of it. It must be fraught with unmixed evil; it would be an end to the existence of a great and powerful empire, by making hostile neighbours of those who ought to be our peaceful fellow-subjects. One would think, supposing the Irish people were well governed, that, as the weaker and the poorer nation, they ought to feel a horror at separation much more than we do. If the union had been productive of good Government, the degradation of the empire, which must ensue from the repeal of it, might be expected to fall most heavily on that poorer portion which ought to have enjoyed the benefit of our superior civilization, strength, and wealth. And when the lamentable fact is brought before you, that in spite of all these reasons, the people of Ireland wish (and no one can doubt it) for the Repeal of the Union, I ask you to explain this? I ask you what remedy you propose for such a state of things? Is it by such a bill as this, that the disease in the mind of the nation is to be cured? Do you think it is by Arms Bills you can be restored to the affections of the Irish people? Expand, then, the far more important remainder of your policy. Tell us what other and larger measures of a remedial nature you have in store. It must be a preliminary in discussing any measure which, on the face of it can afford but temporary and partial relief, that you should say how you mean to go to the root of the evil; how you mean to ameliorate the condition of the Irish people; and reconcile them to the laws and institutions under which they now live. On the one or two occasions, that I have spoken on Irish subjects I have used a frankness which has given rise to astonishment. I will say, on the present occasion, that the Government of England in Ireland has been for centuries our scandal in the eyes of Europe. We must not disguise these things; we cannot hope, by a mere denial, to remove from ourselves what all the world agrees in designating as our greatest disgrace. I appeal, not merely to works of a permanent character; but to the periodical literature of every nation of Europe, that the opinion of the world is, that there is no Christian state which has suffered such misgovernment as Ireland, by you. Do I say, that without the corroboration of such circumstances as must carry conviction? Look at the material condition of the Irish people? Is there in Europe poverty so wretched? Is there a country, the physical condition of whose people is so bad? Has not that condition deteriorated during the present century, while all Europe has made rapid strides? I am going to appeal to statistical authority, which you ought to respect, in as much as you have legislated upon it. If you say, that the produce of Ireland has increased—that the agriculture of the country is greatly improved—I do not deny it. The fact, the shameful fact is, that during the last century, the produce has been doubled, while the condition of the people has deteriorated. I refer for my authority not to the vague declarations of Irish agitators, but to the report of the Poor-law commissioners, sanctioned by every local commissioner who has inquired into the clothing, firing, and food of the Irish poor. I have not the slightest intention of reading those reports, but I shall be borne out by the recollection of all who have read them, that they testify to the fact, that no other people are huddled together as the Irish are, while their food has universally deteriorated. Contradict that if you can. You cannot, though you might have done so when we had not this evidence seven or eight years ago. Arthur Young, comparing the state of Ireland with that of England, said complaint is made of the Irish being badly off, but I must remark this, that while the English poor eat bread and cheese they have rarely a sufficiency, while the Irish, who use potatoes, have not only enough for themselves but for the beggar who asks their charity. Now what is the statement of the commissioners? That the quantity of potatoes now used is scanty, and the quality has notoriously deteriorated. I may remind you of the passage by repeating a particular phrase which struck me in reading that report; the general complaint was, they were reduced to "lumpers," which formerly were given only to hogs. Such is the evidence of the effects of English Government—that while the produce of Ireland and the rents have increased, the condition of the people has been daily growing worse and worse. And if of late some improvements can be observed in the cottages and in the appearance of the people, this change is not to be attributed to the care of the Government, or the kindness of the wealthy, but simply to the energies of one excellent individual, who has used his priestly character to reclaim the Irish people from that vice which had been the cause of half their misery. And what evidence have you to show of good Government in the institutions of the country? I do not believe, that such an experiment was ever before attempted in the civilized world, as your experiment of governing a country by no other instrument of rule than an army and an armed police. Who are the guides of the people? What leaders have they to win confidence for the Government? In other countries, and I must say in this country, whatever political disputes I may have with them, I never will deny, that a great part of the gentry promote order, civilization, and charity amongst their neighbours. I am personally ignorant of Ireland, but deriving my information from the concurrent testimony of all writers and travellers, I assert that the great mass of the proprietors (I don't deny that there are honourable exceptions, including of course all the landlords of Ireland in this House) present the greatest contrast to the English gentry which can be conceived. In any other country the influence of religion—of a clergy trusted by the Government, and honoured by the people, would have some salutary influence in preserving order and attachment to the executive. You have an Established Church there, which is an insult and eye-sore to the community. Yes, I say the Church of a minority is imposed on a reluctant people by an army, and by Arms' Bills. You have taken the funds destined by the bounty of our ancestors for religious instruction from the rightful owners, and expend them on a clergy living either in disgraceful absenteeism, or being more deplorably mischievous from residing in Ireland. You have also a real Church, whose priests are powerful from their influence over the people; belonging to a religion that most readily allies itself with the State; a priesthood that have always been found the willing agents of aristocracy and Government. What have you done with regard to these men? By insult—by exclusion, you have made them the leaders of agitation, and the enemies of your Government. There is a third class of men who might exert an influence for good government. I mean the political leaders of the people—they who have advocated their cause, and gloriously won their battle. Upon what principle have you acted towards them? You have decreed for them a hopeless exclusion of all share in the government of their own country so long as the Government of England is constituted as at present. Can the people have confidence in the administration of the law when they see Orangemen raised to the bench of justice, and every office of the magistracy filled by those whom they look on as their enemies? Is it by removing from the commission of the peace all those who have evinced any attachment to the popular cause, that they are to be conciliated? Such measures at all times must have caused disaffection; and your perils are greatly increased by the experiment which has been recently made. I acknowledge, that to remedy the evils of Ireland, must be a work of great patience and honest intention. The late Government made one great step towards amelioration. The late Government were prevented from making the laws which they proposed for removing inequalities which had been jealously maintained; but there was one thing which you could not hinder while they held the rein of the executive; and that was, governing through the leaders of the people. This effort to secure the affections of the people had its return, for, from 1835, when Lord Melboure took office, down to the period of his resignation, you had the cessation of disaffection; you had the people cheerfully uniting in yielding obedience to the law and the leaders of the people and their priesthood, the agents of order and good government. And now what change have you effected? From the time of your coming into office you allied yourselves with the Orangemen of Ireland. [Sir Robert Peel expressed dissent.] The right hon. Baronet denies that; but I wish he would point out the difference between Toryism and Orangeism. It is said that they who arraign the conduct of Government for the appointment of the judges, must give evidence of deliberate and systematic acts of injustice by those functionaries. Sir, when we wish to conquer the feelings of the Irish people, we should use no such test. You must look to human nature at large, and placing ourselves in the position of the Irish people, ask what our feelings would be if so treated? There were two Gentlemen in this House, Dr. Lefroy and Mr. Sergeant Jackson, more gentlemanly or agreeable men in private I never met, but I must say that never on an Irish question (and they both spoke often, and one at great length) have I heard them express a feeling of sympathy for the mass of their countrymen, and never did I hear any two Gentlemen who were more constantly inclined to expressions of religious bigotry and national animosity. You took these men on the ordinary principles of English party politics, and not considering the difference as applied to Ireland, you raised them to the bench because they were your supporters in this House, and the representatives of their party in Ireland. We are not very tolerant of strong party men in England, when raised to such positions, but what must be the feelings of the Irish Catholics, recollecting the sentiments they uttered, the policy they supported, the party with which they were associated, and the measures which, to the detestation of the Irish people, they promoted? I ask what must be the feelings of an Irish Catholic on seeing such men on the bench. Could he be expected to have confidence in the administration of justice by the propounders of such doctrines? I have already said, that I have never been in Ireland. But I received a portion of my political education in a country where dissensions have raged, though not for a tenth part of the duration of those in Ireland, and where the hatred of race is not embittered by the animosity of religion, I know how delicate is the work of legislation for such a country—how easily prejudices are excited, and how easily, and completely they are allayed by governing for the benefit of the mass of the people. Compare more in detail than my right hon. Friend the Member for Dungarvan did last night your policy as regards Canada and Ireland. The Tory party came into power by a majority in England. In Ireland, as a necessary consequence of that triumph, every friend of the popular party was removed from office, and every vacancy supplied by Members of the minority. Look across the Atlantic, and you see the ministry composed of the French, the Catholic, and the domestic party. Though Tories in England you looked at Canada with Canadian eyes, and you placed in power those opposed to your own politics. You go further, you take a man who has distinguished himself under the late Government, and you send out an English Liberal to administer the affairs of Canada, in conjunction with a liberal Canadian ministry. Now, do not suppose that I an going to say a word in favour of the repeal of the Union; do not suppose that I am at all inclined to that retrograde and barbarous step for weakening the empire, but put yourselves in the place of the Irish people, and suppose you were subjected to the government of a Tory minority, not because you had changed your minds, but the English theirs; and then looking at the different measure meted out across the Atlantic; say, whether you would not prefer a domestic Legislature and a Government responsible to your own people, instead of a Government dictated by England, and representing only an odious minority. These are lessons not thrown away on the people of Ireland, and they are not thrown away on the people of England. There is a great change since you last raised the No Popery cry. People ask why you have not tried in Ireland the experiment that has succeeded in Canada, and which was already successful in Ireland. If you wish to fight successfully against the repeal cry, you must put it down, not by Arms' Bills, but by acting as Lord Normanby acted in Ireland, and Sir Charles Bagot in Canada. I speak earnestly, for I look on this as a great crisis in the affairs of Ireland. I never, in addressing myself to the right hon. Baronet have done so in terms of party acerbity and injustice. I think he is influenced by higher motives than those which move inferior statesmen. I remember his avowal, that he was actuated by the probable opinion of posterity, and by a desire for posthumous fame. I ask, how will posterity decide when the right hon. Baronet summoned to its bar, is asked how he has governed Ireland? He must say, I found her on my accession contented and obedient to the law, but in one year and a half of my rule I managed to alienate the people of Ireland from those of England. I managed to raise the cry of repeal, which had completely died away. And when asked what measures he brought forward to improve the condition of the people, he must reply, I proposed as proofs of my sagacity and wisdom, the Irish Spirits' Bill, and the Irish Arms' Bill. I do think the right hon. Baronet means something better for Ireland. He has only, however, given us a hint of the worst part of his policy, this measure of coercion. He has omitted to say what measure for the improvement of the material condition, and the alleviation of the moral and social state of the people he means to introduce. I will not adopt—until I see the vindication of your professions—by a larger spirit of legislation—an Arms' Bill, as the only measure of legislation for Ireland.

Mr. *Shaw* said the speech of the hon. and learned Gentleman the Member for Liskeard (Mr. Buller), like much of the debate previously, had wandered from the bill immediately before the House, to the general state of Ireland. He was happy to have heard the hon. and learned Gentleman declare that he had never been in that country, for in the remarks with which the hon. and learned Member had favoured the House, with regard to the gentry, the peasantry, the habits, the feelings, and the general condition of Ireland, the hon. and learned Gentleman having spoken so freely of his (Mr. Shaw's) country, and many of his personal friends, must allow him to say, that in reference to every one of those topics, the hon. and learned Gentleman had exhibited the profoundest ignorance. As the debate had, as he had already observed, diverged into a general discussion upon the present state of Ireland, he trusted that he should be borne with while he offered a few observations to the House on that question which was at that moment one of all-absorbing interest. He had hitherto refrained from taking part in the incidental references which had been made to that subject in the House; but he felt that the time was come when it became his duty, as an Irish representative, to give to the House and the country the best opinion which he was capable of forming upon it, without reference to party, to whom it might be pleasing or to whom displeasing, but with the single view to what he believed sincerely to be the truth. He was sorry to be obliged to say, in the first place, that he considered the present condition of Ireland most unsatisfactory—he might, he feared, truly add, alarming. In his recollection—and he spoke the experience of much older men when he said in theirs—the general mass of the population were never so violently agitated, and all other classes so depressed and dejected; each thus operating upon the other, as both cause and effect. Various had been the reasons assigned on different sides for this state of things. He believed it arose from a combination of causes not yet adverted to; at all events, in that House. There was, first, the general depression of the agricultural interest, affecting, even to an extent far beyond what happened in England, every grade of society, from the highest to the lowest in Ireland, greatly, though he admitted not entirely, caused by the enactments of last year respecting the Corn-law and the tariff—still more by the panic which succeeded them; and then, he must say, in some degree stimulated by the Canada Corn Bill then before the House, the importance of which he believed had been exaggerated; but still it was a further concession in the direction against the agricultural interest; and he could not help thinking that it was most imprudent and unwise so soon again to stir an exciting question which had been considered as settled. Next there was the temperance movement. Now, he could not allude to that without joining with the hon. Member (Mr. Buller) in bearing testimony to the great benefit which it had conferred on Ireland, and to the sincerity and honesty of the motives with which it had been promoted by the rev. Mr. Mathew. Within the jurisdiction over which he presided, he was convinced crime had been reduced one-third within the last few years owing to the change in the habits of the people from intoxication to sobriety; but, alas! in that unhappy country, even the blessing of temperance was turned to a curse; the bands, the symbols, and the organisation, he had no doubt, Mr. Mathew himself now deplored, as having been originally indiscreet, though, perhaps, well meant; it was certain, however, that they had since been turned by designing persons into a nucleus of most extensive and alarming organization for other and far different purposes. There was then the removal of the Whigs from office, which necessarily took off the drag which, as regarded their adherents and expectants, they had put upon the repeal movement by making all participation in it a ban to any share of their patronage. He must now come to what was to him a more painful part of the subject. The party, which for shortness he might call Protestant, although containing within it many Roman Catholics—that was the Conservative party in Ireland—had undoubtedly, up to a very recent period, been apathetic and almost indifferent to the present agitation, to a degree most unusual, and, indeed, unprecedented, amongst them. They had shared largely in the general agricultural depression, but there were other reasons. A cry had been most artfully raised by those whose object was to embarrass the present Government. It was still continued in that House, and had been especially mentioned by the noble Lord the Member for London and the Member for Liskeard in that debate, viz., that the Irish Conservative party desired extreme measures, and would be content only that the country should be governed for them alone. There never was a more unfounded assertion. When the present Government came into office, there was not a class of men in the United Kingdom of more moderate views than the great, the overwhelming majority of the Irish Conservative party. [*Laughter.*] Yes, hon. Gentlemen opposite might laugh, and, in the absence of argument or any foundation in fact for the assertion to which he was referring, that kind of sneer was one of the means taken to impose upon the too great credulity of English gentlemen upon that subject on both sides of the House, but hon. Gentlemen opposite who came from Ireland, however much they might assist in the deception, knew right well that he was stating nothing but the truth, when he declared that the great and influential portion of the Conservative party in Ireland desired nothing more than to see the country firmly but temperately governed—the laws impartially and equally administered—and no favour or distinction shown to any man on account of his religious creed—but while they did not desire the country to be governed either for or by a party, they certainly were not such children in politics as to fall into the Utopian notion, that a representative Government could exist in this country without a party to support it—or without bestowing on its own supporters, with discrimination and every regard to the competency of the individual, but still upon its own supporters, the patronage which that Government had to dispense. This was a Quixotism—a very favourite piece of political sentimentality with the Whigs, so far as the preaching it in theory went; but they took good care most religiously to eschew it in practice—and of all the Governments that ever existed in Ireland, that with which the noble Lord (Lord John Russell) was connected made the most unscrupulous partisan appointments — witness Lord Campbell and the offer of the highest judicial authority to the man who was then disturbing the peace of the whole country. Also, the appointment of a right hon. Gentleman opposite, the Member for Clonmel (Mr. Pigot) who, though undoubtedly his subsequent conduct had been unexceptionable, was, at the time of his appointment to the office of legal adviser to the Irish government, an active member of an illegal, or at least, an unconstitutional association. The noble Lord, with a most amusing ingenuousness and simplicity, asked his right hon. Friend (Sir R. Peel) would he have appointed Sir M. O'Loghlen as a judge. No, to be sure, he would not. From the time that Sir M. O'Loghlen became a judge, no one respected his judicial character—it was universally respected—more than he did; but before he was a judge, he had been opposed to him both at elections in that House, and there was not in the Whig party a more thorough-going partisan than Sir M. O'Loghlen. The noble Lord was a great stickler for equal laws and equal practices for England and Ireland; but suppose the noble Lord to change places with his right hon. Friend, and that any Member of that House had the face to get up and ask the noble Lord did he mean to appoint, say, for instance, the present Solicitor-general to a judgeship—what would be the noble Lord's answer?—why, he would put him down by a sneer, amidst the laughter and derision of the House. The noble Lord, by the disparaging observations he had made on such men as Baron Lefroy and Judge Jackson, might gain a cheer in that House; but depend upon it, such observations would be regarded as an insult by the whole bar of Ireland, whatever their politics—for they knew the character and professional qualifications of those truly amiable and learned men. He could scarcely trust himself to answer the unjust and ungenerous attack which had just been made upon them by the hon. and learned Gentleman (Mr. Buller). That hon. and learned Gentleman asserted that neither of these two learned judges, while Members of that House, had ever spoken with reference to Ireland, except in the language of religious animosity and national antipathy. He in the strongest terms the usages of that House would permit, denied the truth of that assertion, and he defied the hon. and learned Gentleman to produce a single tittle of evidence in support of it. If he spoke warmly, he trusted the House would pardon him in consideration that he did so in the vindication of absent friends, who had been grossly maligned. Judge Jackson had ever been the friend of Roman Catholic emancipation, and both he and Baron Lefroy had all their lives been remarkable for the kindness, the good feeling, and the active benevolence they had evinced towards every class of their countrymen. Had not the noble Lord promoted his political supporters, Sir M. O'Loghlen, Judge Perrin, and Judge Ball? and what was the difference of the noble Lord's liberality from that of his opponents? We had contended with those men fairly as political opponents, when they were politicians we took no objection to their appointments, and found no fault with them on the bench. Let not the noble Lord suppose that that arose from any apprehension of bringing them into professional comparison with such names as Blackburne and Pennefather, Lefroy and Jackson. No, but he might turn upon the noble Lord and ask him who affected such scruples in making political appointments to the bench. Why did not his government appoint such men as Pennefather, Blackburne, and Warren, preeminently the first men in the profession, and who had never taken any active part in politics?—Nay, it was believed that the noble Lord's Government violated something like a very solemn promise to Mr. Blackburne, on the plea that he consented for a short time to serve in a professional office under the Government of his right hon. Friend, Sir R. Peel; and now the noble Lord had the modesty to taunt his right hon. Friend for not making his appointments from amongst his active political opponents. But to return to the present state of Ireland and the causes which had combined to produce it. The Conservative party of Ireland, whether rightly or erroneously, were under the impression that that imaginary danger cunningly presented to English prejudice had imposed upon the Irish Government, and where their Irish supporters in every part of the country felt that they deserved confidence, they thought that they were treated with distrust and suspicion. This produced the natural result of such conduct on generous minds—they shrunk into themselves, and in their turn became distant and reserved. They looked on with wonder and amazement at the blindness of the Government to the progress of the present agitation, but they would not step uninvited beyond the limits of their own peculiar duties — they would not intrude opinions that were not sought, and were probably apprehensive that if they did, they would be unheeded, and bring upon themselves the imputation of ultra politicians and of being the advocates of unnecessary coercion. It could not be disguised either that throughout all parties in Ireland there existed a prevailing opinion that there was a want of vigour and independent power of action in the executive Government of Ireland. For individuals composing that Government every personal respect was entertained; no person who had the slightest intercourse with the distinguished nobleman who filled the highest place in that Government could doubt of his ability, highmindedness, and excellent intentions. But the truth was, in times of any emergency, the Lord-lieutenant of Ireland was a most anomalous office—it was a painful position for any man of high and independent spirit; he had neither the irresponsibility of the Crown nor the power of a minister. He was controlled in what his own better judgment would dictate; and constantly blamed for what he had not authority to control. Here, be it observed, he (Mr. Shaw) spoke of the nature of the office, and not of the practice pursued towards the individual Lord-lieutenant. Then as to his (Mr. Shaw's) noble Friend the Secretary for Ireland, nothing could exceed his courtesy and politeness, and his disposition to please everybody, and to do all that he thought for the good of the country; but men of business and irrespective of party, complained that there seemed no independent power belonging to the office. What was agreed to in Dublin might or might not be ratified, or even heard of in London. The care of our public institutions—the legislation for local objects—measures for opening the internal resources of the country, and giving labour to an unemployed population, and the general and unpolitical interests of the country, appeared to be postponed to the more pressing and urgent business of the departments in England through which Ireland was indirectly governed. It was difficult to know where Irish business was done, or omitted to be done—an unseen hand was supposed to direct it, and that of one who was unacquainted with the wants, the feelings, the wishes, or the circumstances of the people of Ireland. These impressions of feebleness in the Irish executive encouraged the evil-doers, the agitators, the disturbers of the public peace, while, in the same proportion they discouraged and depressed the well-disposed and peaceable of all classes and creeds in that country. They were, however, at length, all aroused and alarmed. The Government itself had awoke to the real state and danger of the country, and it was equally the duty, the interest, and. he trusted. the inclination, of all who valued the security of person and property in Ireland, to aid in allaying that agitation which was spreading as a flame through that country. In his opinion, there was no danger of an outbreak so long as the leaders could prevent it—how long that might be, if their career was not checked, he could not say. Mr. O'Connell —[*Order, Order.*] He was aware, that generally speaking, it was out of order to refer to a Member of that House by name; but, in that instance, he thought he might with greater propriety speak of the hon. and learned Gentleman the Member for Cork, in his capacity of Irish agitator, than as a Member of that House, the functions of which office the hon. Gentleman seemed to have renounced. Well then, Mr. O'Connell, in one of his last speeches, speaking of physical force, exclaimed:—

> "I know a trick worth two of that—what I want is to organise the entire of Ireland by means purely constitutional."

In the same paper, a leading one of that party, and one conducted with great ability—*The Nation*—there was a programme of their intentions, and an intimation of the means by which they were to be effected. Having spoken of the English people as their enemies, the paragraph runs,—

> "No! Irishmen! ourselves, ourselves alone. Go on organising—contribute to the repeal treasury—not suddenly to make a show for your county or parish, but gradually and regularly. Work heaven and earth to conciliate the Protestants, and to show your armed brethren in red and green coats that Ireland is wo-begone, and will unite; will be mighty, and worth serving. Meet by myriads, meet with your temperance music—the badge of your new virtue—meet in order, and separate in order. Obey your leaders, learn all the elements of success, distrust and watch, and be

fearless of England; organize, observe the law agitate and be patient.

But how long would they meet in order and separate in order, if they met in myriads, with military organization, with military music, obeying their leaders, and learning the elements of what was there called success. Dr. Johnson it was, he believed, who said, "I don't care who makes the laws, if I could but write the ballads;" and what were the ballads circulated by that their most widely circulated print?—There was one in the next column to what he had read:—

"The music's read, the morning's bright,
Step together—left, right—left, right;
We carry no gun,
Yet devil a one
But knows how to march in Tip'rary, O!
By twelves and sixties on we go,
Rank'd four deep in close order, O!
For order's the way
To carry the day—
March steadily, men of Tip'rary, O!
We'll get repeal in a year or so,
If we're active and true to each other O!
Then the rents will be low,
And the taxes also,
And Ireland will be a great nation, O!"

If there was any doubt of that here was another he (Mr. Shaw) had copied that morning from the last number of the same paper, which spoke more plainly:—

"The Saxon and the Dane
Our immortal hills profane,
May destruction seize the twain,
Says the Shan Van Vocht.
And what are we to do?
To nerve our hearts anew
And to treat the hireling crew
To a touch of Brian Boru,
Says the Shan Van Vocht.
They came across the wave
But to plunder and enslave,
And should find a robber's grave,
Says the Shan Van Vocht."

As to repeal of the Union, talked of as a practical measure, it was a mere delusion. In Ireland no one was duped by it, except the unfortunate ignorant beings who were collected by masses in its name. He was astonished when, in the first instance, the declarations of her Majesty's Ministers were directed against that as if it were the real danger. As well might the wily incendiary, after he had applied the torch, and the conflagration was spreading through the premises, attempt to persuade the owner that the danger he had to provide against was from some disant thunder-storm or earthquake. The real danger in the present instance is, that the whole country is being organised in passive resistance to the laws; but repeal is only the pretext for collecting the masses together; and what are the objects set forth, as if to be carried by repeal, but really to be dreaded without it, if this systematic organisation be not stopped? What is fixity of tenure as described by Mr. O'Connell? No rent without twenty-one years' leases—then that rent to be fixed by the tenants themselves or a jury of their neighbours; and no party to be evicted except on the payment of such sum as the same parties may award him as compensation. Fixity of tenure may be a high-sounding name for such a system, but in plain English it meant confiscation of property. Then they are to pay no tithes, no rates, no cess, in short, they are to be released from all the obligations of civilised society. It was, in fact, a combination of the Roman Catholic clergy and the masses who have no property against property and law. Mr. O'Connell expresses his greatest delight to be in witnessing the union, at the multitudinous assemblages he is drawing together, of numbers of the people and of the Roman Catholic clergy. He would say nothing of that clergy but what they say for themselves. Witness Dr. MacHale and his 101*l.* subscription in his own words:—"The offering of 101 devoted ecclesiastics on the altar of their country." Dr. Higgins proclaims, that from shore to shore the hierarchy are all repealers; and we find them by hundreds, and eighties, and fifties, assembling at Mullingar, Cork, and Cashel. It is possible that many have been carried on by force or the popular clamour, and may find it easier to head than to check the movement; but without any disrespect to them, or accusing them of being worse than other men would under the same circumstances be, it cannot be overlooked that, as a body, they have not the same domestic relations and endearing ties to bind them to society which restrain other men. Then, in connexion with the Roman Catholic priesthood, he might be permitted to allude to the attack of one of that body upon a noble Friend of his, Lord Hawarden, and that night pointedly referred to by his hon. Friend, the Member for Limerick (Mr. S. O'Brien). His hon. Friend referred to a mere newspaper report, and he was surprised that his hon. Friend should have countenanced so serious a charge without having made some inquiry as to its truth. He would read, upon Lord Hawarden's authority, the answer:—

> "Of the whole 143 families mentioned by Mr. Davern, nine only have been ejected during the last eighteen years; and it was necessary to resort to the sheriff in four cases only out of these nine, in one of which the tenant had no family residing on the land; fifty-six families included in his list have not been tenants of Lord Hawarden during the last twenty-one years; three families are twice mentioned; twenty-nine left of their own accord, and received compensation on quitting; twenty-two exchanged for other holdings on the estate, and twenty-one families held as undertenants to lessees, to whom they surrendered their lands, and not to Lord Hawarden, which accounts in a summary manner for the whole of the 143 families mentioned by Mr. Davern, the details of each individual case being stated in the foregoing remarks, opposite to their names."

And how was that charge introduced by a minister of religion in those times of excitement against a resident landlord?

> "Since the above period (1662), it appears your ancestors have enjoyed legal and undisturbed possession of these forfeited estates. The character they have bequeathed to posterity shows them to have been distinguished for their rank bigotry, rabid intolerance, and rigid enforcement of the penal laws against the unfortunate Catholics of their day. Was not your Lordship's immediate relative the foreman of that sanguinary jury who, in the year 1765, promoted the legal conviction of a Catholic priest—the rev. Father Sheehy—for the murder of a man who was known to have lived for many years afterwards." "Before I conclude," says the rev. Mr. Davern, "I cannot avoid making a short appeal to the humane and tender-hearted of the public to enlist their sympathies and commiseration for the misfortunes of these afflicted, forlorn families, whom agrarian legislation made victims. Their houses were burnt and demolished, and they themselves were driven as outcasts on the highway. The expulsion took place in the dearth of summer, as well as the inclemency of winter. Among the ejected were to be found persons of every age and every sex, the widow and the orphan, the aged and infirm, the wife in the throes of labour, and the husband in the rage of fever."

Now, if the latter statement were true—he would be the last man in the House that would stand up to say one word in its defence; but when Lord Hawarden declares upon his honour as a gentleman, that it is untrue, what is to be thought of a clergyman whose duty it was to restrain an excited populace, and lead them in the ways of peace, to put forward such a statement against a resident landlord in his neighbourhood. Even had it been true, was that any reason for referring, in the same letter, to forfeited estates, and an ancestor of Lord Hawarden having been on a jury that convicted a Roman Catholic priest nearly eighty years ago? Lord Hawarden never heard of such a circumstance, and believes it never occurred; but suppose it had, would that justify an exasperating allusion to what happened near a century past, and for which Lord Hawarden could be in no degree responsible? Alas! this was but a part of the system for driving landlords from their properties, in order that others might gain possession of them. Such persons as this Dr. Davern declaimed against absenteeism as a curse, yet were they not labouring to bring a curse upon every proprietor who resided? There was Lord Hawarden, a man of ample fortune, and most amiable disposition—spending large sums of money amongst the labouring poor in his neighbourhood—looking after their wants and improving their condition. A man might be brave as a lion—ready to force the cannon's mouth in battle, or meet any open danger unflinchingly, but there was no man whose mind was so constituted as that he would not prefer the humblest cottage, in peaceful retirement, in this country, to living in a palace where he was to be pointed at as the prey of the assassin, where his family could never enjoy a moment's ease of mind while he was outside his door, lest he should be cut off by the hand of some wretched hireling murderer lying in a place of lurking concealment. He knew no class in Ireland so alarmed, or who cried so loudly for protection, as the respectable Roman Catholic laity and the Whig party residing in that country; it was in that respect no sectarian or political question; and what they most dreaded was, that if not aided quickly, they would not much longer be able to resist, but would be carried before the torrent which was threatening to devastate the country. This state of things could not continue. It was in vain to say that meetings of from 300,000 to 500,000 men quickly succeeding each other, in all parts of the country, suspending all week-day occupation, and desecrating the Sabbath, so that the peaceable inhabitants could not attend their different places of worship—but by terror were led either to mingle in the mass or hide themselves in their own houses—it was in vain, he said, to deny that such meetings were dangerous to the public peace, created terror in her Majesty's loyal subjects, and were against the law. He believed the constitutional law of the land was strong enough, and he was very sure, that if the law was not, or was not made, strong enough to put them down, that they would very soon put down both the law and the constitution. He was against coercion bills and enactments suspending the constitution; till all the powers of the existing law had failed; and he had every confidence in them if vigorously administered. He knew not whether the dismissal of the magistrates might have a good effect; but he could wish it had been earlier done. The remedies of the right hon. Gentleman were—banish the Orangemen from Dublin Castle. The right hon. Gentleman knew well no official was there who was or ever had been an Orangeman. It was ungenerous thus to refer to the Orangemen, who had given up their cherished habits in obedience to not only the letter, but the spirit of the law—and now thought with bitterness over their meetings, with tens and hundreds, their few ribands, and their favourite tunes, when they saw parties of tens of thousands marching in derision by them, playing party tunes, and flapping in their very faces their flags, inscribed with rebellious mottos, with impunity. Then the right hon. Gentleman said, "reform," by which he meant destroy, "the Protestant Church"—"conciliate the Roman Catholic priesthood"—and both the right hon. Gentleman and the hon. and learned Gentleman (Mr. Buller) vehemently urged as the panacea for all the ills of Ireland, to Canadianize that country. That he supposed meant—make Mr. O'Connell Attorney-General—subvert the Protestant Church, remove our Primate, our Archbishop of Dublin, and bishop of Meath from the Privy Council, and replace them by the right rev. titulars, Doctors Mac Hale, Higgins, and Kennedy. Admirable expedient for preserving Ireland to the British Crown, and making that ill-fated country peaceful, prosperous, and happy. He thanked the House for the kindness with which they had heard him. He felt deeply for the unhappy condition of his country, and he had spoken as he felt. He saw her blessed with every natural resource—her population overflowing and unemployed, yet, from the insecurity of property and person, capital driven from her shores, and men of science and of skill, together with the proprietors of the soil, deterred from residing where they could spread employment, comfort, and civilisation around them. He had not spoken as a sectarian or partisan. The hon. and learned Gentleman (Mr. Buller) would probably maintain that he too was actuated by animosity against his Roman Catholic countrymen; but no, he had always lived upon terms of good will with them. From his earliest childhood he had seen the poor around him, without distinction of religion, treated with benevolence and affection, and kindness returned with attachment and gratitude. He had himself employed Protestants and Roman Catholics in common—he had been favourable to the removal of civil disabilites on account of religious belief, and he might be permitted to say that for fifteen years he had administered the law to thousands of Roman Catholics annually, and that he did not believe there was one amongst that number who thought that he was capable of doing them an injustice. He had not addressed the House as a party man, for he apprehended that what he had said was not entirely pleasing to either of the great parties into which that House was divided—but he believed that in the capacity of an independent representative he had spoken the sentiments of the constituency who had sent him there—namely, the gentry, the professional men, and the educated classes of Ireland generally. As an Irishman it was that he had especially desired to speak. He loved his country as faithfully as those who, on the other side, made greater professions of patriotism. All the property, that belonged to his family and himself, were at stake there. His earliest and dearest remembrances were connected with that country, and he prized, far above all considerations of sect or party, that he should have peace for his home, and happiness about his dwelling with the prospect of peacefully transmitting those blessings to his children. With regard to the bill before the House he would vote for the second reading, without being pledged to all its details, until they shall have been fully discussed in committee. He, however, thought that a measure founded upon the principle of the bill was necessary in the present state of Ireland; and it was little more than a transcript of the bill introduced by the late Government.

Mr. *M. J. O'Connell* was certainly beholden to the hon. and learned Gentleman for having, at the end of a speech full of irrelevant matter, given one sentence in reference to the bill before the House. The hon. and learned Gentleman said that Mr. Baron Lefroy was a mild politician. Now, he would beg to refer to the speech of that learned personage in 1829, wherein he declared that the King would sacrifice his right to the throne if he gave his assent to the Catholic Emancipation Bill, and the Duke of Northumberland who was then the Lieutenant of Ireland, in consequence of that speech, thought it his duty to abstain from employing him to sit on the bench in the absence of the judge. The noble Lord opposite said that there was nothing new of any importance in the present bill; yet he would remind the noble Lord, that in a former year the noble Lord the Member for North Lancashire moved a bill, one of the clauses of which contained a provision for the branding of arms in Ireland, and that, such was the unanimous expression of discontent on the subject, the proposition was rejected. Yet this most offensive proposition was renewed in the present bill. The hon. and learned Gentleman said, that this bill was identical with the bill introduced by Lord Morpeth in 1838; but such was not the case; it differed from it in several material particulars. The very first clause gave great additional trouble in the process of registering arms, requiring the cooperation of two householders, which caused not only delay, but inconvenience. But the main complaint, in his mind, was against the proposal to brand all the licensed arms throughout the country, indicating, by means of numbers and letters, the district and individual to whom every one belonged. He really thought, that hon. Gentlemen who had been silent in reference to this matter on former occasions, might ground their opposition to this bill upon these very registering clauses alone; an additional grievance of which was, that they were so dovetailed into one another throughout the measure as to render the act doubly difficult to comply with, and doubly penal into its consequent effect. But even supposing the bill to be the same as previous ones, was there any reason for continuing such a measure? Were those who considered that this measure was an invasion of the constitutional rights of the people of Ireland, to be met with the *tu quoque* rejoinder, "You let it pass before, and therefore you should do so now?" With respect to the former occasion, he admitted frankly, that he and his friends had been too remiss upon this subject. The bill, however, had been brought in at the end of the Session. And why? Simply because all the measures for the relief of Ireland's grievances which the Government had proposed, had been opposed and protracted in their career by hon. Gentlemen opposite. That was one reason for their comparative inattention to the previous measure on this subject. The other reason was, that they had great confidence in the Government who introduced the measure. But, if this law was only a renewal of an old law, why had it been allowed to remain; why, also, had so little been done for the relief of the grievances of the country? He read history, as Lord Plunket did, and he agreed with a remark of his, when he said that, as evidenced by this measure, only the most severe points of the old laws were retained for Ireland. He referred, for instance, to the blacksmith's clause. For thirty-five years, this clause had been in existence, compelling every blacksmith to register every forge he had. But, he would ask, was there one magistrate in Ireland—was there one on the benches opposite, who had convicted a man for a neglect of this tyrannical enactment? And why not? Simply because the law was one too severe for the ordinary course of rural despotism to wield. He would ask, if the law were now enforced, would the people bear it? Would it be borne that no man should carry on the trade of blacksmith without a licence from a magistrate at Quarter Sessions? Indeed, what was the necessity for such precaution? The trade of a blacksmith was one which could not be carried on by stealth; it could not be carried on without noise and smoke, and the parish blacksmith must be as well known to everybody as the parish priest. He would ask hon. Gentlemen whether they thought Englishmen would, under any circumstances, bear such a measure as this as applied to themselves. Bad and tyrannical, however, as the measure was in itself, it was particularly unfortunate in the time at which it was brought forward—a time when magistrates were dismissed from the commission of the peace for attending political meetings which were admitted not to be illegal. Supposing that Ireland were the predominant power in the union, and that she endeavoured to enforce such a measure against England, as England now imposed upon her—he asked, would they be as patient under it as the Irish had been. The Attorney-general for Ireland said, that the bill referred to "what was called" the common law right to carry arms. Now, he would ask, had the hon. and learned Gentleman any doubt as to the existence of this right at common law? For his part, he had always been led to believe that the common law in the two countries was identical, and by the bill of rights, the right to carry arms for self-defence was not created, but declared as of old existence. This, indeed, was the first time when he had heard any hon. and learned Gentleman get up in that House, and insinuate that the common-law rights of the two countries were different. He had listened to the speech of the noble Lord, the Member for London, with mingled feelings of pleasure and regret. In great part of what the noble Lord had said he cordially concurred; he only regretted that the noble Lord should have felt himself coerced by the false position in which leading Members sometimes were placed, to promise his vote in favour of this bill. He could not help thinking, that if the noble Lord had looked a little more attentively, not only at the principles, but the details of this measure, he must have voted differently. All he could hope was, that those who saw the record of the vote of the noble Lord, would also read the speech by which that vote was accompanied. If the noble Lord's conduct on this occasion produced no more fatal result, it would lead to this, that the people of Ireland would begin to see, that from neither side of the House was there anything to be hoped for in their behalf. For his own part, whatever might be the result, he should give this bill his most strenuous opposition. He knew it would be said, that some of the most strenuous friends of Ireland had been absent during those discussions. He regretted their absence, which, however, was, he believed, occasioned in a great measure by the feeling, on their part, of the utter hopelessness in the present constitution of the House, to give effectual opposition to any measure of oppression. [*Laughter.*] This might be a matter of merriment to some; but to him it was a matter for melancholy reflection, that so large a party in that country was reduced to a conviction of the hopelessness of obtaining any good for Ireland, or any measure to mitigate the evils of the Union. As he said before, he did oppose this bill in all its details. If carried into law, so far from promoting the peace and harmony of Ireland, it would only perpetuate the ill-feeling and misery which had so long prevailed there.

Sir *W. Barron* moved the adjournment of the debate.

Mr. *V. Stuart* hoped he might be allowed to say, that he differed from his hon. Friends. He thought there was a necessity for some such measure as this in Ireland. At the same time, he thought some of the clauses objectionable, but they could easily be amended in committee.

Sir *R. Peel* put it to the House whether there was any reasonable ground for adjournment (at about a quarter to twelve.)

Again were the galleries about to be cleared, when

Viscount *Palmerston* put it to the right hon. Baronet whether, as many Members on both sides were prepared to speak, it would be possible to divide to-night; and, if not, whether it were wise to waste time in debating adjournments?

Sir *R. Peel:* No one is less disposed to waste time in debating and dividing on adjournments; but I must say, that I wish generally, and not alone in reference to this particular case, that when it is the evident wish of the great majority to proceed with the debate, the minority will yield to the general opinion, and not "waste time by dividing." The hon. Member who wishes to speak, would have been most attentively listened to. I never heard a debate with less disposition to interrupt. But I saw, certainly, no signs of that disposition to address the House which is now represented to exist in the minds of many on the other side.

Debate adjourned.

House adjourned at half-past twelve o'clock.

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HOUSE OF LORDS,

Wednesday, May 31, 1843.

MINUTES.] BILLS. *Public.—Received the Royal Assent.*— Registration of Voters; Testimony in the Colonies;

Queen's Bench Offices; Turnpike Roads (Ireland); St. James's (Westminster) Improvement.

Private.—2ª· Edinburgh and Glasgow Union Canal; Belfast and Cavehill Railway.

Reported.—Lord Gray's Estate; Haddenham Inclosure; Clarence Railway.

Received the Royal Assent.—London and Brighton Railway; Northern and Eastern Railway (Newport Extension); Faversham Navigation; Leeds Gas; Newport (Monmouth) Gas; Preston Waterworks; Norland Estate Improvement; Bethnal-Green Improvement; Portsea Improvement; London Cemetery; Bourn Drainage; Anderton Carrying Company; Glasgow and Three-Mile House Road; Caswall's Disability Removal; Cliffe-cum-Lund Inclosure.

HOUSE OF COMMONS,

Wednesday, May 31, 1843.

MINUTES.] BILL. *Private.*—1º· Todhunter's Divorce.

PETITIONS PRESENTED. By Sir E. Filmer, from Hollingbourne Union, for Altering the Rating of Small Tenements, and against the Sale of Beer Acts.—By Mr. T. Duncombe, from Bolton, for Liberating Cooper and other Chartists.—From Loughborough, against the Irish Arms Bill; and for the Repeal of the Union.—By Messrs. Hindley, Lawson, B. Smith, Brotherton, Thornely, Watson, S. Crawford, G. Wood, P. Howard, Stansfield, Benett, and W. Ellis, and Sir J. Y. Buller, from an immense number of places, against, and by Mr. W. O. Stanley, from Holyhead, in favour of the Factories Bill.—By Mr. Scholefield, from Birmingham, for carrying out Rowland Hill's plan of Post-Office Reform.—By Mr. Shaw, from Kilcoleman, against the system of National Education.—By Mr. J. O'Brien, from Limerick, for Relief from Taxation.—From Clare Abbey, against the Corn and Provisions Act (Ireland).—From Warminster, against the Canada Corn Bill.—From Manchester, in favour of Scientific Societies Bill.

ARMS (IRELAND) BILL—ADJOURNED DEBATE—THIRD DAY.] Mr. *Wyse* in resuming the debate said, that he took on some points a different view of this measure from many who had preceded him. He looked upon it not as a bill of police, but as a political measure likely to be fraught with the most serious consequences. He would admit, that such a bill might have been called for by some sudden and unlooked for emergency, that it might have been required by some violent or revolutionary outbreak; and if such a case had been made out, however sacred the right to bear arms for self-protection might be, he should feel it his duty to support a measure which such a necessity called for. He would, in such a case, at once admit the propriety of acting on the principle of *salus populi suprema lex*. But had such a necessity been made out by the supporters of the bill? Nothing of the kind. Not even a temporary case had been made out, which would justify the application of such a remedy. The disease to which it was to be applied was of a chronic nature; and when such a disease existed amongst the people to a large extent it might be taken for granted by their rulers, that some evil was at work which required to be closely examined, with a view to its correction. Such a measure as that now before the House, would not meet the case, and before proposing it to Parliament, Ministers were bound to show that no other remedy would meet it. The noble Lord the Secretary for Ireland had read a long list of outrages, which he said had been committed in several districts in that country. He would admit the fact; but then he would beg the attention of the House to another fact connected with them,—that these outrages were not for the sake of plunder or gain in any way. They were, most of them, committed in anger, and from a sense of injury by some local or general oppression. Had there not been such outrages in many parts of England? Let hon. Members look to the reports made of the state of many parts of England in 1839. There were then large assemblies of men with arms, and other offensive weapons, in Cheshire, Shropshire, in Cornwall, in Kent, and other counties. It was admitted that the inhabitants of many districts owed the safety of their property rather to their own watchfulness than to any protection they received from the law. Here, then, were offences in England similar to those which existed in Ireland, and it would be unfair to say that such offences were indigenous in the latter, or that the Irish were organically violators of the law; but, whatever had been the causes of the outrages, the two countries were not treated alike. The remedy now proposed would not have answered in England, and it would turn out to be equally inoperative in Ireland. The Arms Bill would be injurious only to the peaceful and industrious farmer who needed them for his protection. It would be inoperative for good, but, it would be a fruitful source of evil. Other remedies should be sought for before this was tried. Government should, in the first place, seek out the causes of the present discontents in Ireland. One great cause of them would be found in the demand of high rents for land and the putting out men long in possession, either to get higher rents from others, or for the purpose, as it was called, of "clearing" the lands. Mr. Sadler and others who had made their observations on the state of Ireland during a residence in it, and by closely noting what took place within their own knowledge, all bore testimony to the many evils which had flowed from this system of "clearing." But these evils did not arise so much from the "clearing" itself, as from the manner in which it was effected. Instead of removing the tenants gradually, whole masses of them were turned loose at once, without any means of subsistence. He was acquainted with the circumstances of one estate, on which a course had been adopted that he thought would be a good example for every landed proprietor in Ireland. The lease of a middleman on that estate had expired. The landlord said to the tenantry on the whole estate, "You must be as well aware as I am that the estate cannot maintain more than a certain number of tenants; there is now a certain quantity of land available; but the whole system on which the estate has been managed must be remodelled; choose, then, amongst yourselves which shall remain and which shall go." The tenantry made their election accordingly; but did the landlord send out into beggary the people who thus were to be regarded as the surplus population? On the contrary, he collected them together with a paternal hand; he guided them in person to the coast; he paid their passage-money to America; he gave them an advance for the purpose of enabling them to establish themselves in the United States, and he returned home to enjoy the just reward of his wisdom and his benevolence. On his estates there were no disturbances; in his neighbourhood the voice of discontent was not heard. That was the conduct to be imitated; but did any one suppose that such a measure as the Arms Bill would effect improvements of that kind? Then as a measure of restrictive police, it was a thing of no sort of efficacy or value. In using this language, however, he hoped it would not be supposed that he was tied up to the principle of repeal by any pledges. In the year 1832 he refused the repeal pledge at Waterford and lost his election, though he might have come in for Tipperary; but he did not blame the people who then voted against him, neither could he altogether blame the present Government for the evils of Ireland—they were only the inheritors of a long system of misrule; but the people of Ireland had at length determined that that system should cease. In Ireland there now were two parties standing opposed to each other like two hostile armies, and the quarrel was not a quarrel of opinion, but a dangerous division in which the rich were at one side and the poor at another, without any intermediate class to mitigate their hostility. This state of things was occasioned by the mode in which Ireland was governed. A few years ago there was no middle class in Ireland to restrain the people from the commission of violence. It was only lately that the Catholics were able to acquire property. Formerly, the Catholic who acquired a little property, usually emigrated. A different state of things had commenced; education was now going on, and the noble Lord opposite knew how successfully. He certainly did not apprehend, that the diffusion of education would give the people a greater disposition to disorder. Quite the contrary. But he believed the British Parliament would find itself much deceived, if it imagined, that improved education would not give the people organization and increased power. The truth was, that they must govern Ireland according to the realities of its condition, and not according to fiction. They must take the seven or eight millions of its people as they found them. With feelings and interests like their own, with power increasing every day, with a lively memory of the past, and ardent aspirations for the future, there they were a large population in the land, and they could not be removed from it, and the Government of this country ought to govern those masses according to their sense of right. He did not ask to have the Catholic Church in the ascendant, he merely desired to have the Protestant Church placed on a footing in Ireland suited to its exigencies—to have Ireland in that respect placed on the same footing as Scotland. When the present Government came into power, the people of Ireland were willing to give that Government a fair trial. They believed, as had been said of the Bourbons, that the right hon. Baronet and his Friends had learned much and forgotten much. They were soon undeceived, and the first thing that undeceived them were the legal appointments, which had been made matter of complaint last night. He had no complaint himself to make against either Mr. Lefroy or Mr. Jackson; on the contrary, he was ready to speak of them in the highest terms. Nor did the people of Ireland complain that two most amiable men had been placed on the bench, but the people did complain that those who had constantly expressed the strongest political hostility to them should have been the first to be selected for judicial preferment. He did not expect a Government to select its officers from the ranks of their political opponents, but the Government might have made less objectionable selections from among their own ranks. The right hon. Recorder himself afforded the strongest refutation to that argument. That right hon. Gentleman would not have been unacceptable. [Mr. *Shaw*: But I would not have accepted an appointment.] Shortly afterwards an appointment of a right rev. Prelate was made, that was calculated to excite the most painful feelings in Ireland; and the right rev. Prelate took an early opportunity, after his appointment, to let the public know that he retained all his former opinions. Hon. Gentlemen opposite might taunt them by asking what the late Government had done more than they; but it must not be forgotten that the late Government was constantly obstructed in its measures for the benefit of Ireland; aye, and avowedly obstructed. The present Government had no such excuse to make, and, therefore, he did feel that they merited reproach for having brought in no measure for the improvement of Ireland—no Irish measure, in short, but this coercive measure—no large measure for agricultural improvement—no large measure for the promotion of emigration; no measure for the enlargement of the franchise; no measure to enlarge the system of education; and in the absence of all these measures, he would maintain there was abundant reason why the people of Ireland should complain. Every paper that came from abroad was full of allusions to the present condition of Ireland, but this was not the first time that the state of the Irish people had excited the attention of all the statesmen of Europe. He would take the liberty of reading to the House the remarks of Niebuhr on this subject, one of the most observant and philosophical historians of modern times. His words were these:—

"The relations of Ireland to France, in her very pardonable national hatred, must continue to be still a cause of danger. But that very warmth of blood, which makes the injured Irishman an object of peril, renders it more easy to win his attachment. The only true and firm guarantee which can retain a people not to be despised, is a hearty and thorough reconciliation and union, not through any forced assimilation, but through common acquired interests, common conquered dangers, and common enjoyed honours. Should England not change her conduct, Ireland may still for a long period belong to her, but not always, and the loss of that country is the death-day, not only of her greatness, but her very existence. The means to avoid this danger are numerous and easy, but must not slowly be put in operation; the Irishmen, above all things, to whom Burke and Swift were compatriots, must not be hated, and cannot be despised."

It was not by throwing all magisterial power into the hands of one set of men that the people of Ireland would be conciliated; not by the increased marshalling of troops—not by additional fortifications, or by severe denunciations from that House, unaccompanied by measures of conciliation—but let conduct be tried similar to that of which they had had a recent example in the legislation and administration of Canada. Let Ireland be treated in the same spirit, and, in the words of Mr. Burke,

"Let us identify, let us incorporate ourselves with the people. At present all is troubled and cloudy and distracted, and full of anger and turbulence, both abroad and at home; but the air may be cleared by this House, and light and fertility may follow it. Let us give a faithful pledge to the people that we indeed honour the Crown, but that we belong to them; that we are their auxiliaries, and not their task-masters; the fellow-labourers in the same vineyard, not lording it over their rights, but helpers in their joy."

Viscount *Jocelyn* said, he should support the measure of his noble Friend, and trusted that the importance of the question would be considered sufficient apology for occupying the attention of the House for a very few moments. In giving support to the measure he did so because, although he was not sanguine enough to believe that it would be entirely effectual, he sincerely hoped that it might in some measure render less frequent those outrages which disgraced his country in the history of civilised Europe. Would any hon. Member on either side of the House deny that it was the duty of the Government to give security to the loyal and well-affected portion of her Majesty's subjects, and to enable them, without risk of assassination, to make use of their rights as landlords, and to hold their political opinions, although differing from the majority? If it was unconstitutional to put a stop to the expression of political feeling, at all events, it was the duty of the Government to render that expression as little dangerous as possible to the public peace; and if from timidity and weakness they feared to carry out the power vested in their hands, they became themselves responsible, and in the sight of God and man they were answerable for the innocent blood that fell. Had any argument been adduced by hon. Gentleman on the opposite side to show that stringent measures were not requisite to insure public tranquillity? On the contrary, had it not been tacitly admitted by all who had spoken? The arguments of hon. Gentlemen had been directed against the whole policy of the Government. They had attacked the Government appointments in the Church and on the bench; they had stated no opinions against the necessity for an Arms Act, or that a measure of this stringent nature was not requisite at the present moment. As they had endeavoured to give the House their opinion of the cause of all the evils, he (Lord Jocelyn) wished to take the opportunity of stating his views on the subject. As long as the people of Ireland were taught to consider as their foes those who would quench the flame of discord and prevent its devouring and destroying everything, and those as their friends who would fan the flame, and pour in every poisonous, every inflammatory ingredient, to render it more virulent, so long would there be danger to social order, and there must be stringent measures. When at every meeting language the most inflammatory was made use of, adapted to the character of the Irish people, allusions were made to their power and physical force, and that their object was to be obtained through that power,—when they were taught to consider themselves as conquered slaves, and their landlords as oppressing tyrants, with their minds accustomed to the idea of bloodshed and violence, was it to be wondered if they looked for the attainment of their wishes on the field of revolution? Would the law be obeyed when they were taught to despise the legislature? Would the tie between landlord and tenant be preserved when they were taught to consider him as the only bar to the attainment of their just rights? Was it to be wondered at if an individual of narrow intellects and circumscribed views, leaving one of these exciting meetings, and encountering in the first individual the representative of him whom he had been taught to look upon as the only object between him and his wishes, took the first opportunity of ridding himself of the hated object? It might be, that his language was strong, but what was the language that had been employed by those of the opposite party? Mr. O'Connell, in addressing a multitude the other day, said:—

> "The people are ready and anxious to do their duty, and they 'bear and forbear,' they wait for the good time patiently, under every outrage and insult, but they must have a hope of success. What did I see near the rock of Cashel? A population of physical power, which, if placed in the hands of Napoleon, would have enabled him to conquer Europe. He marched from Boulogne into the centre of Hungary with a smaller effective force than surrounded me yesterday, and then he had no such army in reserve as I saw to-day on my way towards Nenagh."

The noble Lord, the Member for London, took credit for having gained for himself and his late colleagues in power the love and gratitude of the Irish people. At what period was that? In 1833, the noble Lord and his colleagues were in power, and in that year it was that Mr. O'Connell, in addressing a meeting, spoke of the noble Lord and his Colleagues as "the brutal and bloody Whigs!" In 1834, in a letter to Lord Duncannon, Mr. O'Connell said:—

> "The Irish people allege truly, that every thing has been done by the Whigs to injure and insult the Irish people."

And on October 11, 1834, in another letter to Lord Duncannon, he said:—

> "Ireland had nothing to expect from the Whigs but insolent contempt and malignant but treacherous hostility."

Another accusation brought by the noble Lord opposite against her Majesty's present advisers was, that in their appointments to judicial offices they had not been actuated by a wish to consult the opinions and feelings of all classes of the Irish people. But he (Viscount Joscelyn) would ask whether the Government to which the noble Lord belonged had showed impartiality or wisdom when they offered the highest seat on the judicial bench to the Gentleman of whom, on the 28th of April, 1834, the year before the offer was made, Lord Littleton, the Chief Secretary for Ireland, spoke as follows:—

"Up to the period when Ireland accomplished the victory of complete religious emancipation, Mr. O'Connell rendered most important services to his country; but since that period — I say this from my own official situation, with something of authority, for I say it with knowledge—he has proved a most unfortunate obstacle to the social happiness and progressive improvement of Ireland."

After that period the Lichfield House compact was entered into, and Ireland was delivered over, bound hand and foot, to the hon. Member for Cork. But even in that period, so called, of tranquillity, when that hon. and learned Gentleman was thwarted in his views, the Whigs, he remembered, were again termed base, bloody, and brutal. Thus, in the same letter already quoted, the hon. and learned Gentleman said:—

"Of what value is it to Ireland that Lord Grey should have retired, if he has left to his successors, the same proud and malignant hatred he appears to entertain towards the Irish nation. I know Lord John Russell cherishes feelings of a similar description. The Whigs are enduring the hate, and some of the contempt, of the Irish people."

Again, in a letter to Lord Durham, dated October 21, 1834, Mr. O'Connell wrote thus:—

"The Whigs have found no difficulty in offering insult to Ireland. The Whigs, I am satisfied, would have refused to give any reform to Ireland, if they possibly could."

Again, in a speech at Cork, November 17, 1834:—

"We owe nothing to the Whigs; it is our own vigilance and activity that enabled us to turn their imbecility and hypocricy to account; for, believe me, that if their necessities and anxieties to keep themselves in office had not wrung it from them, they intended nothing for Ireland."

He had endeavoured to show that the accusations made by the noble Lord relative to the judicial appointments of the present Government were much better merited by that Government which had shown how little they took into consideration the real interests of the people, by offering the highest judicial appointment in Ireland to a gentleman of whom the Chief Secretary for that country had spoken in the terms he had quoted. He should give his support to the motion of his noble Friend, not because he was sanguine enough to believe that it would entirely put a stop to those evils which unfortunately had for so long a time prevailed in Ireland, but he did sincerely hope that it would in no small degree mitigate them.

Mr. *John O'Brien*: I oppose the second reading of the bill before the House, I do so from a full conviction that it is unconstitutional in its principle, offensive to the feelings, and uncalled for by the condition of Ireland. I oppose it because there are other and better means to achieve its professed objects, and to secure the pacification of the country. It is true that individual outrages have been perpetrated, but existing laws, in my opinion, are fully able to repress the further progress of crime;—'tis true, that popular movements are now in action to achieve important changes in the political constitution of the empire; but it is not less so that these manifestations have been unaccompanied by any infraction of the law which can justify this invasion of the constitutional rights of the people. England has been, and recently, the scene of a widely-organised conspiracy, matured into crime, and threatening in actual outbreak the existence of its social and political institutions; it has not been thought advisable to make such an experiment upon the unbroken spirit of that country, and why should Ireland be placed in humiliating contrast, why will you proclaim the offensive announcement that we are unfit for the enjoyment of national and constitutional rights? If such be our position, how trumpet-tongued does it not speak of the character of your past policy; for centuries we have been subjected to your authority, you were the masters of our destiny, and upon you rests the responsibility of that condition, which, as you proclaim, imposes the necessity of this act of severe and unmitigated legislation. I shall not analyze its provisions, they strike the most superficial inspection, they were so various, so complicated, and so penal, that they amounted to an almost practical prohibition of the right of arms, they induce a system of constant espionage, they suggest temptations to private malice, no rank, no character, no object, however legitimate, can protect you from the searching penalties of this offensive bill; and Ireland, after a legislative union of nearly half a century, is treated with all the suspicion and all the indignity of a subjugated province; this will not be held by the country as a realization of the hopes inspired at the advent of the noble Lord to office, as the practical development of that great principle of equal justice to all parties so fully announced at the accession of the present Ministry to power. This bill you cannot carry into effect in the north of Ireland. A Conservative magistracy will not disarm the partisan yeomanry of Ulster—you reserve its terrors for the Catholic peasantry of the south. This disarming of the people I hold as an inauspicious omen, as prophetic that as the past has been so shall be the future character of your policy—that you will, as heretofore, rule by the few, and for the few, and that you will abandon the legitimate devotion of a people for the venal attachment of party. It is not by measures such as these that you can appease the discontent of Ireland; in her regard you have long tried a coercive policy, would it not be well to make an experiment on her affections, to manifest some generous sympathy in her well being, to interfere with timely foresight and rescue her from that perilous agitation in which she is now involved, fraught as you say, with danger to the destinies of Ireland, and menacing with a fevered strength the integrity of your empire. I shall not stop to analyse the justice of this description, but admit its correctness, and with what an emphatic appeal does it not call upon the British Government to ascertain what it is which thus confederates the people of Ireland in the prosecution of objects so hazardous or so impracticable. Nor, Sir, is this movement limited to the physical power of the country; it is latterly sustained by a considerable proportion of its intelligence and its wealth; nor can it be supposed that this latter class is insensible to the character of the movement but with or without a hope of success, they adopt it as the most distinct announcement of national sentiment, as the most emphatic declaration of their discontent with that policy which condemned by its fruits has been found inconsistent with the happiness, the repose, and the welfare of Ireland. It is idle to explain this formidable agitation by a reference to the ambition of individuals it is not in reason, nor does history warrant the supposition, that an intelligent people forewarned, and with deliberation will embark in all the evils of social and domestic distraction, without some adequate and impelling cause; popular leaders may, according to their respective abilities, assume the foremost station, but the wrongs of a country are the elements of their power, and the Government which refuses a compliance with just demands is morally responsible for the subsequent excesses of a people complaining of wrong and hopeless of redress. It is equally unavailing to refer, as has been done, in terms of disparagement to the Roman Catholic clergy of Ireland. It cannot be denied, that in the present popular manifestations many of that respected body have accepted a foremost station; but let us not mistake the result of their position for a voluntary participation in the political contentions of the country; whatever may be the strength of their opinions they have not been intrusive volunteers, united to the people by identity of religious belief and long community of suffering, grateful to that people for a devotion without limits as it is without example, they could not withhold their sympathy, they obeyed, they did not give the national impulse and could not if they would resist the popular movement; it is unwise to depreciate the influence of that body which in whatever result, whether in the attaintment or in the frustration of national passions constitute our best security for the present safety and the ultimate happiness of Ireland. I fear that the policy of the present Government has been imperfectly calculated to concilitate the confidence of the country, I fear it has suggested to the Catholics of Ireland the not unwarranted apprehension, that though emancipated by law they were still practically proscribed, that the spirit of a past ascendency yet survives, and that they or those who represent their opinions shall continue indefinitely excluded from the honors, the privileges, and the distinctions of the state, it will not answer to say, that such is but consistent with the rules of party tactics. Such may silence the partisan, but it will not satisfy a people, and it is at best but an ungracious doctrine to announce to a country whom your policy places in opposition to your Government, and whose position you thus adduce as an argument to justify their exclusion from the practical enjoyment of the constitution; it is not my wish to use the language of exaggeration, but I apprehend it will be found that, since the accession of the present Ministry to power, the popular or Roman Catholic section of the country has been substantially excluded from the favor, the patronage, and the confidence of the Government; this may be, from their political tendencies, strictly in accordance with the rules of party tactics, but it is not therefore less a source of dissatisfaction and complaint with the people of Ireland. Nor do I find that the proscription (for I am justified in using the phrase) of the middle or higher classes of the national party is accompanied (and they would gladly have accepted the atonement) by measures calculated to advance the well-being of the great body of the people. The reverse has been the case, they have been refused in a somewhat peremptory manner, the aid of British capital in the establishment of railways. The Poor-law Amendment Bill was well fitted to burthen the occupying tenantry in aid of the absentee and landed oligarchy of the country, no intention has been announced on the part of Government to improve the existing relations between landlord and tenant, but they are threatened with a registry bill to precipitate the extinction of the expiring franchise of Ireland, and it is clear that the Church Establishment is to be maintained in all its oppressive aggrandisement deriving its redundant, its almost unscriptural wealth from the contributions of an impoverished people, by them regarded, it cannot be concealed, with feelings of intense aversion, as the badge of their subjection, the monument of their national humiliation, and to close the enumeration, we are now called on to surrender the liberties of the country under the delusive name of an arms bill. I will not be a party to a policy that generates the evils which it would subsequently and unavailingly correct; I will withhold as far as in me lies the power and the temptations of misgovernment. I will not strengthen the hands of a ministry, which looks to force alone as the corrective for national discontent; I will endeavour to compel them to the adoption of measures of wise conciliation of just concession. I will oppose the second reading of the bill, and I will oppose it in all its stages.

Mr. *A. Hope* said, the complaints of hon. Gentlemen opposite about the want of attendance of gentlemen of the county on petty juries would be put an end to by this measure. The absence of those gentlemen was caused by the disturbed state of the country, and for that state of the country the proposed Arms Bill was a remedy. No man was more bound up with Ireland than he was, and he supported this bill because he looked on it as a strong measure necessary for the suppression of a great evil, and he did hope, that when the measure was passed, England and Ireland would be united together in a real and substantial union—of which the Legislative act passed at the beginning of the century was but the adumbration.

Captain *Bernal* said no sufficient reason had been adduced for the infliction of this odious measure upon Ireland. The real cause of the disturbances, so much to be deplored, was the want of sympathy between the rulers and the ruled. Could the Government, which so well understood the value of a majority in that House, imagine that they could govern Ireland by a minority? The right hon. Baronet at the head of the Government had come down to the House and declared that it was the determination of Government to maintain by every means in their power the Legislative union between the two countries. But the right hon. Baronet had held out no hopes at the same time of redressing the grievances of the people of Ireland, and attaching them to British connexion by kindness, and a generous and forbearing policy. What was the declaration made by Lord Althorpe on the same subject, in that House, on the 8th February, 1831?

> "He by no means intended to say, that the only policy which his Majesty's Government in Ireland ought to pursue was, to suppress the agitation merely by force. The wise policy was, while they firmly suppressed that violent and seditious conduct which tended to insurrection and rebellion, to show the people of Ireland, by measures of conciliation and kindness, that there was every possible disposition to attend to and remove their grievances. That was the policy which his Majesty's Government had resolved to adopt. They were determined to use their utmost exertions to resist the designs of the agitators? but at the same time, by giving employment to the people of Ireland, by repealing such laws as were obnoxious to them, and by other measures of a similar character, to do all they could to conciliate their affections*."

The right hon. Baronet had come down like *Orlando Furioso*, and after having made that celebrated declaration, six magistrates were dismissed from the commission of the peace; and such a flame was raised in Ireland, that he perceived by this day's paper a number of Members of the bar had given in their adhesion to the Repeal movement, and the Repeal rent had increased to a greater amount than ever. Instead of sending out a pilot balloon of coercion in the shape of an Arms Bill, why should not Ministers act the manly part of removing all acknowledged grievances and causes of discontent? He thought also some definite declaration ought to be made by Government, as to what they intended to do in reference to the Repeal meetings, and that they ought distinctly to say whether they considered them illegal or not. Would they take the bull by the horns, or would they only show their teeth, and not dare to bite?

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* Hansard, Vol. ii. p. 325, (Third Series.)

Colonel *Verner* said, that he should not have troubled the House but for some of the observations which had fallen from hon. Gentlemen opposite. A noble Lord (Lord Clements) was reported to have said, that he had stated that some of the yeomanry corps were members of the Orange lodges. Now, he not only reiterated that statement generally, but he could add, that in the province of Ulster every member of the yeomanry corps was a member of the Orange institution; and the reason was this, that the only persons on whom the Government could rely there were the Orangemen and Protestants. He felt it his duty to come forward on behalf of the yeomanry of Ireland, and defend them from the attacks which had been made upon them. Parliament in some cases had voted thanks to that body, and from the Lords Lieutenant of Ireland they had frequently received marks of gratitude and approbation; and he could not, therefore, sit still and hear them traduced and maligned as they had been. He could not understand the grievance of which hon. Gentlemen opposite complained. The possession of arms was no very great advantage to the people of that country. The hon. Member for Dungarvan had said that he supposed he must call the yeomanry loyal because that was their title, and for the same reason he supposed he must call the Repeal Association loyal; but what was the difference between those two loyal institutions? The moment the Orange institutions were declared illegal, they disbanded themselves; but, notwithstanding the almost universal expression of opinion amongst the statesmen of this country as to the Repeal Associations, they had declared their intention of not discontinuing their agitation until their object had been attained. Under those circumstances, would it not be madness in any government to allow those people any longer the possession of arms? It had been said, that the Irish had a thirst for arms; he was afraid that they also had a thirst for something else, and that their thirst for arms was frequently for the purpose of gratifying their other thirst. The subject of the Repeal of the Union was so closely connected with the present question, that he might be excused for adverting to a curious letter which had fallen into his hands, and which came from America. The letter was for the purpose of explaining to the writer's relation how his ancestors were deprived of their property in Ireland, and it said,

> "Perhaps you may say what is this old story to me? But after the repeal of the union, it would be every thing to you. Ireland would be a happy country then; the fortune of war might put you in possession of your long-lost rights; and you ought to know where those rights are situated."

That evinced the sort of feeling which existed upon that subject. He would not further trouble the House, nor should he have done so at all but for the reasons which he had stated.

The *O'Conor Don* was disposed to agree that it would be unadvisable in some parts of Ireland to leave to the people the unrestricted possession of arms; he was also desirous that the Government should have all necessary power for the maintenance of peace; but when he looked at the clauses of this bill, he felt indignation that such a measure at this time of day should have been proposed. The dissimilarity in the circumstances of the two countries was alleged as a ground for the measure; whence was the dissimilarity of the two countries? It resulted from the nature of the legislation which had been adopted with regard to Ireland. It resulted from the infliction upon Ireland of measures like this, which degraded and humiliated the people. It was no argument to say that a similar bill had been in existence before, especially when it was recollected that that former bill had been almost a dead letter. What was the cause for this bill at present? Had crime increased in Ireland? No! it had decreased; but it had increased in England, and yet no such measure was dreamt of for England. It was much to be regretted that the right hon. and learned Gentleman the Member for Dublin university, who was so sensitive with respect to the character of his own clergy, should have made such charges against the clergy whom the people of Ireland revered. He must say, in justice to the Catholic clergy, that much was owing to them for their zealous and efficacious exertions in preserving the peace of Ireland, which could not be preserved were it not for the corrective influence of the Catholic clergy in inducing the people to bear their sufferings patiently in this world in the humble hope of a higher reward in the next. He must deny the charges of disloyalty that had been brought against those who were seeking for repeal—a measure for which he himself had at one time voted. The people were loyal, but wished to be put into the position which great constitutional authorities at the time of the Union said they ought to hold. After what had recently taken place, he should resign the commission of the peace which he held, were it not that he believed he exercised it for the benefit of those about him; and he must say that the Lord Chancellor of Ireland might as reasonably deprive him of the commission for anything he said in that House, as remove Lord Ffrench, on the ground of a speech made in Parliament, when the presumption of the law was, that no one outside knew anything of the speeches delivered within its walls, and that no stranger was present.

Mr. *Borthwick* said there had been a conclusive case made out for the bill by the arguments on his side, and the admissions on the opposite side of the House. He believed, and he thought it had been fully admitted, that the state of affairs in Ireland wore, at the present moment, a most threatening aspect. There was in that country a numerous associated body, whose object it was to effect a dissolution of the Union between Ireland and Great Britain. He must say that under such circumstances the violent language used by certain persons out of doors, tending to excite feelings of rancour among the Irish people against the executive Government, was most reprehensible. He considered that the present Government had evinced a disposition to do justice to Ireland, and he thought, therefore, that they were entitled to the support of all hon. Members who were desirous of promoting the welfare of the country. He thought that it was the bounden duty of the House to support the executive Government in endeavouring to put down that incipient rebellion, he would venture to call it, which was excited by the hon. and learned Member for Cork (Mr. O'Connell). He would give his support to the bill, and to any other measure of a similar nature which might be brought forward with a view to promote the tranquillity of Ireland.

Lord *Seymour* said, that two years ago they were told that Ireland was in a state of comparative tranquillity, and that a spirit of good order was spreading throughout the country. Now, however, they were told that Ireland was in a state of turbulence and excitement which threatened the most serious results. The right hon. Baronet at the head of her Majesty's Government stated, when he assumed office, his intention of pursuing the same conciliatory policy with regard to that country which had been adopted by the late Ministry. What then had produced that change in the state of affairs in Ireland to which he had alluded? One reason assigned was, that certain appointments had been made in Ireland which had given great dissatisfaction to the bulk of the people of that country. He could not blame the right hon. Baronet opposite for having made those appointments. They might, perhaps, have been unwise under existing circumstances, but he did not think the Government ought to be blamed for having made them; and he thought this was not a sufficient reason to account for the present condition of Ireland. It had also been said, that the recent increase of the spirit duties in Ireland had been one means of exciting dissatisfaction. He considered that an unwise measure, but he did not think that it could have produced the existing agitation and dissatisfaction. He asked hon. Gentlemen opposite, then, what had been the real cause of the excitement which now prevailed in that country? He considered the bill now before the House an injudicious measure. It would not prevent the people from assembling in as large numbers as at present; its object merely was to prevent them from possessing arms, except under certain restrictions. It had been said by the noble Lord who brought forward this measure, and by the right hon. Attorney-general for Ireland, that a law similar to the present bill had been in existence for many years; but they had also been told, that there was scarcely a man in Ireland, of the age of fifty, who did not possess arms. What effect, then, had been produced by such a law?—and what advantage did hon. Members think would result from the present measure? Did they conceive it would prevent the commission of murders? He believed that when a man was actuated by feelings of revenge, and determined on the commission of that crime, he could easily find weapons for the accomplishment of his object. If any fear was entertained of a general insurrection in Ireland, and this measure was intended for the prevention of such an occurrence, he considered that it was wholly inadequate for the purpose. When he considered the state of Ireland at the present moment, and having no wish to impede any measures brought forward by the Government, with a view to maintain tranquility, he would not vote against the second reading of the bill; but when it came into committee he should feel it his duty to oppose many of its details.

Sir *A. Brooke* felt thankful to her Majesty's Government for having introduced this measure. The noble Lord who had last addressed the House stated that, though measures similar to the present had been in existence for many years past, it was notorious that great numbers among the people of Ireland were in the possession of arms. But the noble Lord must be aware that the measures to which he referred had not been carried into effect. He believed that this bill would have a tendency to produce tranquillity in Ireland; but he did not think that this measure alone would prove effectual in producing that result. He felt confident that hon. Members on that (the Ministerial), as well as on the opposite side of the House, would ere long call upon her Majesty's Government to enact laws for the preservation of tranquillity in Ireland of a much more stringent nature than that now under consideration. It had been asked, by what means the excitement and agitation now existing in Ireland had been produced? He conceived that that excitement was in a great measure caused by the conduct of the hon. and learned Member for Cork, who had during the last year devoted his time to the agitation of the question of the Repeal of the Union. He must say, that the aspersions cast by the hon. and learned Member for Liskeard (Mr. C. Buller), in his speech last night, upon the clergy and gentry of Ireland, were most unjustifiable; and he did not require to be told by the hon. Member, that he had never visited Ireland, and that he was, therefore, not very well qualified to form a correct judgment on the subject. He believed that in no country in Europe had the progress of improvement been more visible, especially among the lower classes, than in Ireland. The tranquillity which had been spoken of as prevailing during the administrations of Lords Normanby and Ebrington had been owing to the exertions of the hon. and learned Member for Cork, who took measures to insure the tranquillity of the country so long as the executive conciliated him by deferring to his wishes. Nothing was more plain than that the tranquillity of the country ought to be maintained; and, thinking that it was the duty of every Gentleman to give the executive as much support as possible in the present emergency, he should vote for this bill, which had no other object than the maintenance of peace and order.

Mr. *Hawes* said it was admitted, that until the last year or two Ireland had been entirely tranquil. Now he thought he was entitled to ask what had been the occasion of the change in the state of that country? They ought to have a very strong case made out for it before they assented to the bill of the noble Lord. He concurred in all that had been said of the spirit in which the noble Lord had governed Ireland, but still he would ask had the noble Lord made out a case for this bill. Had the noble Lord shown any want of subordination to the law? Had there arisen out of these great meetings any tumult—any breach of the peace—any bloodshed? In short, had the noble Lord shown, that there was any one justification for the Government coming forward with a bill of this nature? Before a case could be made out, the noble Lord ought to show at least some decided case of insubordination. He would do the right hon. Baronet (Sir R. Peel) the justice to say, that he believed the right hon. Baronet was the very last man to countenance anything of a violent tendency or resort to harsh measures, but the right hon. Baronet unfortunately was identified with a party in Ireland, which, to say the least of, was extremely unpopular. The appointment of Mr. Serjeant Jackson to a seat on the Bench, almost immediately after he had given a decided opposition to the measure of education for Ireland which the Government thought fit to adopt, and before people had recovered from their surprise at seeing the hon. and learned Gentleman still continued in his official situation in that House after such an opposition, showed that the right hon. Baronet was bound to that party. In respect to Canada the right hon. Baronet had pursued a wise course, and given the people a system of Government, which was in accordance with their wishes and feelings; but how differently had the right hon. Baronet acted towards Ireland; and he must take the appointments made by the right hon. Baronet, and this bill as general indications of the spirit of governing Ireland; that was to say, as indications that it was meant to adopt the system of governing by force, and by means of a party, and not the conciliatory system of Lords Normanby and Ebrington. Why had the right hon. Gentleman departed from the spirit of that system? The House had specific assurances of the right hon. Gentleman, when he came into office, that he would not adopt a violent policy; but now it was evident, that he was seeking the instruments of his Government not from among those who had the confidence of the people of Ireland, but from their opponents. In fact, the right hon. Baronet was reverting to the old system of governing Ireland. Under these circumstances, and with this impression, why should not the hon. and learned Member for Cork, or any other hon. Member, seek a Repeal of the Union. That might be an injudicious step to take; but it was only an act of Parliament of which the Repeal was sought. Why should it not be agitated? Why should magistrates be struck out of the commission for attending peaceable meetings for the effecting that object? To attend such meetings was not inconsistent with the terms on which he held the commission of the peace. If he himself were dismissed from the commission for attending any such meeting in his county or borough, he should think himself justified in opposing the Government, that did so by means of combinations of the people as Mr. O'Connell was doing in Ireland. The appointments to official situations of persons not in their confidence, was one reason why it was not unnatural for the people of Ireland to wish for a Repeal of the Union; the obstruction in Parliament of measures calculated to ameliorate the condition of the Irish people was another reason. He confessed, that if he were an Irishman he should be very apt to be of a similar way of thinking; he should not scruple to seek to free his country from such a domination. But with respect to the bill, had any case been made out from the state of crime in Ireland? The noble Lord made out no extraordinary case, and it was only an extraordinary case that would justify such a measure. On the contrary, the noble Lord showed positively, that there had been a diminution of crime, and particularly of the very crimes which were likely to be committed by means of fire-arms. Then he would fix the noble Lord in this dilemma. Either the bill was to be taken as the first step in a return to the old policy of governing Ireland, or as intended to repress crime, which was on the increase; but the latter it could not be, because crime, the noble Lord told them, was on the decrease. Therefore, he took the bill to indicate the commencement by the Government of a different course of policy from that which they had hitherto pursued, and which had been so remarkably successful in the hands of Lords Normanby and Ebrington. That policy, if pursued, would prove, he was convinced, disastrous to both countries alike. There was one master grievance in Ireland, about which comparatively little had been said in this debate, he meant the Irish Protestant Church. That was the master grievance; there was no denying it. They had a nation of Catholics, and an establishment which, in point of temporalities, was adapted for a nation of Protestants. As had been well said, before the emancipation they had there a Church without a people, and a people without a Church. Did they think that the Irish could submit to that—could submit to see a Church deriving a princely revenue, and discharging no adequate spiritual duties? The feeling against that state of things was increasing every day, and the Government shortly must deal with it. Another topic of irritation, which he ought to have mentioned before, was the Registration of Voters Bill, but he did not refer so much to the provisions of the bill itself as to the spirit of the debates on it. What was the language used with regard to the voters of Ireland? The word "perjury" was freely used; immorality was said to cover the land, and yet hon. Members opposite would not permit the late Government to rescue the land from this stain. Since the hon. Gentlemen opposite had been in office, though they professed so much zeal for religion and purity of morals, they had been perfectly silent as to the remedy for these enormities. From the whole of their deeds in Ireland he judged that there was in the Government a spirit adverse to the people of Ireland. Was it a wonder, then, that they joined together to oppose such a Government? They would be less than men; they would be slaves if they did otherwise. Cheerfully acknowledging all this, however, he must say, that he saw no good likely to arise to Ireland from a domestic legislature; he had no hopes from that. The history of the Irish Parliament was such, he thought, as no Irishman could look into with satisfaction. He saw no good in multiplying Houses of Parliament, and he should prefer curtailing the Members of the present House of Commons to having separate Houses in Scotland and Ireland. On the grounds he had stated, then, he opposed this bill, and he should oppose it in every stage. He did not believe, that it provided any remedy for the social evils of the country. It would not disarm the ruffian; it would operate only on the honest man; that was the case with all arms acts. He was sorry to oppose a bill which might be said to be merely of an executive nature, but he saw so many symptoms of an intention to revert to the old system of governing Ireland on narrow, partisan, and, he would add, sectarian principles, that he felt he could not act otherwise.

Sir *J. Graham:* Sir, I am glad to follow the hon. Member for Lambeth, because in one respect he has done justice to Ministers, when he said that he was satisfied that nothing would have induced the noble Secretary for Ireland to recommend this bill but a deep sense of duty. I assure the House, that the feeling which it is admitted actuates my noble Friend, no less influences all his Colleagues in office. We bring forward this measure only under the severe compulsion of present circumstances, and because we are painfully convinced of its necessity. I was struck by the justice of several of the observations made last night by the hon. and learned Member for Kinsale (Mr. Watson) when speaking of popular rights and of the law, which is their safeguard. I admit, that the carrying of arms is a noble and distinguishing mark of freedom, and a constitutional right of great value. I would not infringe that right without the most grave consideration; but when the hon. Member for Lambeth asks what new circumstances have arisen to justify it, I will not enter into any details of the state of crime in Ireland, by which I might, if necessary, harrow the feelings of the House, but I will rely upon the statement of my noble Friend (Lord Eliot), that unhappily crimes of a sanguinary and homicidal character abound in Ireland. Those crimes in number much exceed the proportion in England, and the failures of conviction in Ireland, instead of being, as in England, 25 per cent., are nearer, if not quite, 50 per cent. Therefore, after the most anxious consideration, I am not able to entertain a doubt of the propriety of renewing a measure which has before been often passed. It seems to me that in the course of debate, admissions have fallen from Gentlemen opposite, which afford the most conclusive testimony in favour of the bill, founded upon the present unhappy state of society in Ireland. Before however, I advert to those admissions, I will make one observation on the subject of the recent dismissals of magistrates, to which the hon. Member for Lambeth alluded. The hon. Member seemed to think that the discontent which the dismissals created might operate to produce the state of society which has been described; but these dismissals are too recent to be regarded as the cause of an antecedent effect. As regards these dismissals, however, I will take upon myself, when the proper opportunity offers, of discussing the question, the task of showing that the Irish Government has acted in the most proper manner; for the present I content myself with saying, that the course pursued by the Irish Government has the sanction and approval of her Majesty's Ministers. Having said thus much as to incidental matters, I will revert to the important admissions which have been made on the other side, painful though it be to dwell upon a consideration of the present state of society in Ireland, described as it has been, not by me nor by those on my side of the House, but by hon. Gentlemen speaking from the Opposition Benches. In the first place, I will refer to the speech of the right hon. Gentleman the Member for Dungarvon, which was divided into two parts. The first part of the speech was calm and moderate—full of simplicity and truth, and carrying conviction to the minds of all who heard it. The second part was characterised by all that brilliancy and dazzle for which the oratory of the right hon. Gentleman is so distinguished, but to my taste and judgment, the truth and simplicity which characterised the former part of the right hon. Gentleman's speech was far more impressive and convincing than the finished and florid conclusion. Some parts of the right hon. Gentleman's speech were well replied to by the right hon. Gentleman the Member for Northamptonshire (Mr. A. S. O'Brien), who spoke so well as to create the wish, that he will more frequently address the House. There are, however, two points which were dwelt upon by the right hon. Member for Dungarvon, to which I wish to call the attention of the House, as showing the necessity for the present measure. The right hon. Gentleman urged the necessity of having Gentlemen of the higher classes to serve upon the petty jury in the county of Tipperary. When there are many farmers of substance to be found in the county, whence should arise the necessity for having persons of higher station upon the petty jury than those who usually fill the office in Great Britain? What is the meaning of that? When I heard such a necessity mentioned, I thought I could perceive something alarming in the admission which it involved, and if I entertained any doubt as to the validity of my suspicion, that doubt was at once removed when the right hon. Gentleman stated that it was the duty of the Crown to contrive, that greater protection should be afforded to witnesses in Crown prosecutions. The right hon. Gentleman alluded to a case in which, by his influence, a conviction was procured of five men who had been guilty of murder. To effect this, the right hon. Gentleman assured the House, it required the right hon. Gentleman's interference with the Government. The family of the murdered man could only be induced to give evidence under a promise of being afterwards removed from the country. What must be the state of society in Ireland when the head of a family, one of whom had been the victim of assassination, could be induced to give evidence only on the condition that he and his children should submit to transportation for life? This is one of the admissions from hon. Gentlemen opposite. I now come to the next. The hon. Gentleman the Member for Waterford described society in Ireland as divided into the rich and the poor, and stated, that these two classes stood opposed to each other like two armies in hostile array. What did the noble Lord the Member for London say in the present discussion? That noble Lord, notwithstanding all his love of liberty, his desire to preserve constitutional rights, and to stand up against any attempt to infringe them, still admitted that he was compelled to give his vote, though reluctantly, for this measure. What was the noble Lord's description of the state of Ireland? After stating that when he and his friends were in power those opposed to him attributed the existence of crime in Ireland to their misgovernment, the noble Lord went on to say, that murders were committed month after month, and sometimes three or four in a single day in Ireland, and that this state of things was to be attributed to the unhappy and depraved condition of society in that country. Such was the opinion of the noble Lord the Member for London. What did the hon. and learned Member for Liskeard say? The hon. Gentleman told us, that if the present bill had been proposed by Lord Morpeth he might have voted for it. Is this the mode of defending a constitutional principle—to make the Minister, and not the measure, the test of one's vote? But what was the hon. and learned Gentleman's description of the state of the country? He described it as in an organized state of open defiance to the law and to the constituted authorities of the land, such as had never before been exhibited in any other country in the world—that nine persons out of ten in that country were opposed to the law of the land—and that they were determined not to receive even good measures at the hand of the present Ministry. [An hon. *Member:* "Who said that?"] It was so stated by the hon. and learned Member for Liskeard, whose absence from the House just now I very much regret. These admissions are very important as respects the measure under discussion. The hon. Member for Lambeth asks what new state of society it is in Ireland which requires this new enactment? I am sorry to say it is no new enactment, but a continuation of an old one; it is no new state of society, but established habits of violence and outrage; and I would remind hon. Gentlemen, that in voting for the second reading of the bill, they do not pledge themselves to the various clauses. They may if they choose in committee oppose the clause relative to blacksmiths, which has been so much dwelt upon, or limit the duration of the measure to two or three years. What is it we are called upon to establish by our vote? The first question to be decided upon with reference to the bill is whether under the existing circumstances of Ireland it is fit that any restraint should be put upon the right of freemen to possess arms? and if that be affirmed, the next question is, whether that restraint shall be effectual for the purpose? I contend that the restriction of the right is called for and necessary, and, at the same time that I admit the desirableness of a *minimum* of restraint, I contend that the quantum should be sufficient to render the restraint effectual for the suppression of homicidal crimes. The proposed bill, instead of enacting a new law, only continues a law which, with some intervals, has been in existence for the last fifty years. It is one which was first proposed by a domestic, and afterwards continued by an Imperial Parliament. With respect to the testimony upon which it is proposed, I cannot altogether reject the evidence of Colonel M'Gregor and Major Miller, though I will admit to the hon. and learned Member for Kinsale that the possession often increases the appetite for power, and that therefore evidence of such a description should be received with some caution; but the necessity for such a measure does not rest alone upon the evidence of these gentlemen. There is, in addition, the testimony of several magistrates, recommending the particular measure now before the House, and more particularly that part of the bill which provides that arms shall be stamped and which is its distinguishing feature. It is a misrepresentation of the bill to say, that it is a measure for disarming the people of Ireland. On the contrary, it presumes that they are to possess arms, but it requires that the possession of them shall be so regulated that when crime is committed by means of those arms, it may be traced home to the perpetrators. It requires that the arms shall be stamped and a license granted to carry them in order to trace possession up whenever the right shall be abused. It is not, then, a bill to disarm, but a bill to prevent the abuse of arms. The hon. Member for Lambeth, following the course of the hon. Member for Liskeard, said that to another Government which showed itself to be influenced by principles different from the present, he would not feel indisposed to grant the power proposed to be given by this bill. It is well to make this measure not a question of policy but of confidence. I am not surprised to see that line of argument adopted when I remember that three Members of the late Government voted for a measure the same as this in 1838 and 1841—those were the hon. Member for Waterford, the right hon. Member for Dungarvan, and the hon. and learned Gentleman the Member for Liskeard. I feel bound to notice an observation made by the hon. Member for Lambeth on the judicial appointments of the present Government. The hon. Member admitted, in fairness, that a Government, generally speaking, must appoint its friends to offices which become vacant; if there be an exception to this rule, that exception applies to judicial situations. In this matter we must not be regulated by reference to creeds or politics, for if the people of Ireland were to be consulted, the appointments would be almost exclusively Roman Catholic. I appeal to the right hon. Member for Dungarvan whether the claims of individuals have not been fairly considered on professional grounds apart from religious considerations, and I would defy any Government professing the principles of the present administration to have departed materially from the course which has been pursued. There could be no better appointment than that of Mr. Lefroy, who besides his eminent fitness had the claim of priority, having been in the profession since 1797. I defy hon. Gentlemen opposite to prove that in any of the appointments, whether British or Irish, professional claims or professional capabilities have been overlooked. If from our political opponents a judge were to be chosen, both on account of the post which he has occupied in the Government and of his character at the bar, no one could be selected more fit than the right hon. Member for Clonmel, the late Attorney-general; but he was not called to the bar until 1826; whereas Lord Chief Justice Pennefather was a barrister in 1794, and Mr. Justice Jackson in 1816; and if standing, character, attainments, professional distinction were to have weight, no one in justice can impugn the preference which has been shewn. Apart from religious or political considerations, there can be no doubt of the fitness of these appointments. How would the present Government have stood in the face of the British and Irish public if it had yielded to the base consideration of mere expediency and had neglected such claims as those of the individuals in question? The only assistant barristership which has fallen vacant since the present Government came into office has been given to Mr. Coppinger, a Roman Catholic in religion, but in every respect qualified to fill the situation with credit and advantage. The first lucrative appointment at the disposal of the Lord Chancellor (that called Keeper of the Custodes) has also been conferred upon a Roman Catholic. I cannot refrain, even in the presence of my noble Friend the Secretary for Ireland, from saying, that the declaration which my noble Friend and the Lord-lieutenant of Ireland made on undertaking the Government of that country, namely, that they would govern it justly, and without reference to any party considerations, has been sacredly fulfilled. It is admitted that the present Government has upheld the system of national education established in Ireland by my Colleague the noble Secretary for the Colonies. Have we not done this frankly? It cannot be said we have not done it sincerely, neither can it be denied that thereby we have not only risked, but incurred the displeasure of a very powerful body in Ireland. The House witnessed symptoms of that last night. The right hon. and learned Gentleman the Member for the University of Dublin complained of the coldness and reserve of the Government with respect to the Conservative body, whom he described as the Protestant party of Ireland. I am bound to say, that the party so described have been the tried and are the sure friends of British connexion, and are entitled to the consideration of any Government; but her Majesty's Government, faithful to its pledge, has been and is resolved to govern Ireland for the benefit of the nation and not for the benefit of a party. It is our determination to consult the feelings of the great majority, but not to do injustice to any class. The right hon. and learned Gentleman also talked of want of vigour and of the desire of the Government to please everybody. Is not this evidence that we have endeavoured to govern in conformity with the expressed determination of the noble Lord, the Lord-lieutenant, and although there is a difference of opinion as to the success which has attended our efforts, yet with respect to my noble Friend's motives, his integrity, and his purposes, there is not, I believe, the slightest difference of opinion. Then it was said, "Pursue a conciliatory policy, and all your difficulties will vanish." I have rejoiced at every measure of a conciliatory character based upon sound principles of propriety and of justice, but what has been the result? As bearing on this question, let the House observe the facts which have transpired in the course of this debate. It has been stated, and correctly stated, that in 1805 a Whig Government came into office, and under that Government the noble father of the noble Lord the Member for London imbued with the most liberal principles, went to Ireland as Lord-lieutenant, and Mr. Eliot as his chief secretary. Every measure of conciliation was tried, whilst the Duke of Bedford was at the head of the Irish Government, and it is a strange coincidence, that the very first draft of an Amended Arms Bill, more stringent than any other before enacted, at the expiration of the period of conciliation, was found in the portfolio of Mr. Eliot, and it was simply the act of the Government which succeeded the Duke of Bedford in Ireland, to pass the bill which Mr. Eliot had drawn up. I am aware that the right hon. Gentlemen the Member for Dungarvan touched upon this point himself, and I do not refer to it by way of taunt, because I am aware that altered circumstances produce an altered feeling, and in the course of human events lead to a change of conduct. In 1825, when the question of emancipation was thoroughly sifted by a committee of this House, the right hon. Gentleman the Member for Dungarvan, gave most important testimony, and said—I use the spirit of his testimony, not his words—"Grant but this great measure of civil equality, and I tell you that the Roman Catholic priesthood will never again interfere in politics—they will never again exercise influence over the minds and conduct of their flocks, and if they wish it they will be unable to do so; but I tell you positively, the wish on their part will cease." True it is that measure was postponed, and to its postponement, which I, in common with the right hon. and learned Gentleman, regret, the right hon. and learned Gentleman ascribes important consequences. The measure, however, was carried in 1829. Now, the hon. Member for Lambeth tells us, to deal in conciliatory measures; and then, he says, we shall not want an Arms Bill. Observe, in 1829, the emancipation act was passed; in 1830, the Whig party came into office; in 1831, the Reform Bill was passed. [Mr. *Roebuck:* Do not forget the Coercion Bill.] The hon. and learned Member directs my attention to a circumstance illustrative of the effects of conciliation. Within three years, as I have said, the Emancipation Act and the Reform Act were passed—both measures of the largest concession—and yet, such is the unhappy state of society in that country, that these concessions proved to be useless; and it was found necessary almost simultaneously with these large popular concessions to pass the coercion bill. That reminds me of another thing. Who introduced the coercion bill? Was he an enemy to liberty—a man hostile to Catholic emancipation? [Sir *W. Barron*—"Yes: Lord Stanley introduced it."] The hon. Baronet is mistaken—historically mistaken —Earl Grey introduced the coercion bill in the House of Lords. It was not my noble Friend near me, whom I suppose the hon. Baronet pointed at, but Earl Grey, the head of the Whig Government. Yes! Earl Grey, the great author of the reform act, and the constant supporter of Catholic emancipation found it necessary, within a few years, or rather months of the passing of those conciliatory measures to introduce the coercion bill: The hon. Baronet's memory is very treacherous, when it leads him to suppose that my noble Friend near me introduced the coercion bill. [Sir *W. Barron;* The noble Lord was then Secretary for Ireland.] I am aware that the hon. Baronet seeks to connect my noble Friend with the coercion bill, because he now belongs to a Government of which I, too, have the honour to be a member. The hon. Baronet is doubly erroneous. The coercion bill was introduced by Earl Grey in the House of Lords: but who introduced it in the House of Commons? True, my noble Friend was Secretary for Ireland at the time, but being then engaged in measures which excited a strong adverse feeling on the part of several Members who were supporters of the Administration, Lord Althorp in consideration of that very circumstance, and from a desire that a particular connection with the measure should not be fastened on my noble Friend, departed from the ordinary official rule, and introduced the coercion bill in the House of Commons on behalf of the Cabinet of Earl Grey, of which the member for London formed a part. I must, in passing, do justice to my noble Friend upon another point. It has been stated that my noble Friend introduced an Arms Bill, to which exception was taken at the time by several Irish Members, without the sanction of the other Members of the Government. That is not true, my noble Friend who was in Ireland corresponded with Lord Melbourne, then Home Secretary, on the subject; he submitted to Lord Melbourne an outline of the measure with all its principal details, and before my noble Friend introduced the measure, the Arms Bill with all the clauses to which exception was taken, particularly the clause for stamping arms had received the written sanction of Lord Melbourne on behalf of the Government of Earl Grey. I have stated to the House that the Emancipation Act and the Reform Act ended in the coercion bill. Earl Grey's Government was overthrown, and from that halcyon moment, according to the hon. Member for Lambeth, better days dawned upon Ireland. But before that period other large concessions had been made. The Church Temporalities Act effected a reduction of the number of Irish bishops, imposed a tax on the incomes of the clergy, and made a considerable diminution in the number of pluralities. The hon. and learned Member for Liskeard, last night, most unjustly described the Irish Protestant clergy as being disgraceful absentees, or pernicious residents. I believe, that a more unjust accusation never was made. The Irish clergy have ceased to be absentees, and I believe that the principal objection now to them arises out of their honest, zealous, and active exertions in the discharge of their duty. They have, I repeat, ceased to be disgraceful absentees, and if I could appeal to the poor Catholic population, deserted by the rich gentry, and ask them who, in the hour of sickness and want, are their never failing friends, I am sure they would reply that they are those very pernicious residents who have been denounced by the hon. and learned Member for Liskeard. The only justification I can find for the hon. and learned Member is, that he never visited the country, and that he knows little of the Protestant clergymen on whom he has cast so unjust and unworthy a stigma. I will advert to other measures of concession, which have been passed, one of which is most important, in the opinion of hon. Gentlemen opposite—I allude to the system of national education. The late Government, also, passed the Municipal Reform Act, a measure which, although not carried exactly to the extent its authors wished, abolished all close and self-elected corporations, established a free municipal franchise, and vested the whole power of the Protestant corporations in the great body of the electors. By this time we have got to 1838; and now let us try the question of conciliation as bearing on the Arms Act. Up to this time it has been seen that the concessions made were large beyond all example and they were conducted by persons possessing the full confidence of hon. Gentlemen opposite; yet these concessions ended in the Arms Bill, brought in in 1838 by Lord Morpeth, which, because it was introduced by him was, in the eyes of the hon. Member for Liskeard, unexceptionable; indeed, the hon. Member has said, that if the present bill had been introduced by Lord Morpeth, he would still be ready to support it. Well, I have mentioned a variety of measures, all making concessions to the Catholic majority, but conciliation did not end here. It may be said, that all the measures I have enumerated, were adopted without due regard to persons, but could conciliation be carried further than in the instances which I am about to allude to. Sir Michael O'Loghlen, a gentleman of great learning and unimpeachable character, but entertaining strong political opinions, was made Master of the Rolls, and the right hon. and learned Gentleman, the Member for Dungarvan, who, be it remembered, acted as teller when the question of Repeal was brought under the consideration of this House, was not only placed in office but obtained a seat at her Majesty's Council Board, and was invested with the highest honour to which a Commoner can aspire. Is that all? Simultaneously with these appointments, the office of Chief Baron of the Irish Exchequer became vacant, and to whom did the Government offer it? Can the proceedings in Canada go beyond this? It was offered to the hon. and learned Member for Cork; and why was not the hon. and learned Member appointed to it? It was in consequence of his own sense of propriety, not from any sense of propriety on the part of the Government; the hon. and learned Member said, that for the sake of justice itself, he ought not to accept this judicial appointment. Now, I ask whether in the history of any country, Canada not excepted, conciliation was ever carried further than this? I do not believe it; and yet, as the result of all this conciliation, the late Government, in 1838, proposed an Arms Bill almost identical with this. The last act of the late Government in 1841 was to continue the Arms Bill, and it is still the continuance of that measure, after a long course of conciliatory administration, that we are now discussing. It is said, that the cry for repeal, during the halcyon days of Lord Normanby's administration of Irish affairs, from 1839 to 1841, completely died away. Is that the fact? [Mr. *W. S. O'Brien:* "No one minded it."] Was that the opinion of Lord Fortescue? Immediately after the close of the conciliatory Government of Lord Normanby, which the hon. Member for Wickham described as being the perfection of civil Government, Lord Fortescue found the cry for the repeal of the union so rife and dangerous throughout Ireland, that in the first speech which he made on the inauguration of the Lord Mayor of Dublin, he took occasion to declare that no person who advocated repeal must expect to obtain favour or reward from him as the representative of his sovereign. I will do justice to that nobleman. I believe that Earl Fortescue was deeply and sincerely impressed, from the commencement of his Government to its close, with the danger of the repeal movement; that he adhered to his pledge, and did not knowingly allow any place of trust or profit under the Crown to be given to a person who favoured the agitation for the repeal of the union. My observations, Sir, are now drawing to a close, but before I conclude, I trust I may be permitted to advert to an expression which fell from the hon. Member for Lambeth. The hon. Member said, that it was necessary the Government in Ireland should follow the well expressed-popular will. I am unwilling to enter upon topics of this description, but I may be allowed to ask what, in the present state of affairs, is the well-expressed popular will of the immense masses assembled in Ireland? Does it bear on legislative questions, on registration, on railroads or other measures to be introduced into Parliament, which may tend to promote the prosperity of the people? The hon. and learned Member for Liskeard declared that the condition of the people of Ireland is daily becoming worse and worse; but all the evidence taken before committees of this House proves exactly the reverse. If the people of Ireland were left in a state of tranquillity, I do not believe there is any population in the world whose character would more speedily, become elevated or whose prosperity would increase with greater or more certain rapidity. The hon. Member for Waterford has directly contradicted the hon. and learned Member for Liskeard's assertion on this point. The hon. Member stated, that until the last fifteen years a middle class had been wanting in Ireland, but that since that period, that class has appeared, and is now growing to great importance in that country. I may also refer to a fact which is notorious. A committee of which Lord Monteagle was the chairman, sat and reported on the condition of the people of Ireland. In the evidence given before that committee, certain facts were stated on which reliance may be placed; and, amongst them, this remarkable one that whilst the growth of wheat in Ireland has been increasing, the exportation of the article has been decreasing. This is a clear and indisputable proof that the consumption of wheaten bread is progressively increasing amongst the population of Ireland. But to revert to the hon. Member for Lambeth's advice, that we should attend to the well-expressed popular will in Ireland. The right hon. Member for Dungarvan spoke in terms of high eulogium of the Duke of Wellington, and considering the efforts which that noble personage made, when, at the head of affairs in this country, to place his Roman Catholic fellow-subjects on a footing of perfect equality with their Protestant brethren, the compliment appeared to me to fall gracefully from the lips of the right hon. Gentleman; he said, that the Duke of Wellington's was a fame with which the world was filled. Now let us try the well expressed popular opinion in Ireland towards this noble individual. Recollect it is in "Saxon;" it is an Irish hero, whose fame, it is truly said, fills this habitable globe. At a meeting recently held in Ireland, the Duke of Wellington was designated a "corporal; a blood-stained Indian Seapoy," amidst the shouts and acclamations of assembled multitudes. Is this the well-expressed popular opinion in Ireland? Is this the will to which the British Parliament must bend? Sir Samuel Romilly exclaimed in 1807, we are told, "To pass such a bill as this, is it not madness?" I, on the other hand, ask you to omit to pass this bill which has been in force for fifty years, which a domestic Legislature declared to be necessary, which all Governments, whether Whig or Tory have been driven by the force of circumstances to adopt—I ask you to omit to pass this bill, in the present state of affairs, would it not be madness, aye, worse than madness—would it not be cowardice, and treachery to the State?

The Earl of *Listowel* said, if it were a bill simply to continue the former Arms Act, he should have been bound in consistency to accept it; but he looked upon it as a measure most coercive and most offensive to the people of Ireland, and he was therefore bound to give it his warmest opposition. It was clear, that the bill was now brought forward with especial reference to the agitation going on in Ireland, and in his opinion it would be no effectual check. He was persuaded that the people had a right to meet to petition for the Repeal of any act of Parliament, so long as the meeting was tranquil and respected the law; and at the recent meetings the law had not been violated. No man could deplore more than he did the agitation now going on in Ireland, which prevented the introduction of capital, and the amelioration of the condition of the people; yet they should recollect, that to this agitation seven-eighths of the people were parties, and it should be met not by unconstitutional coercion, but by the redress of the people's wrongs. Admitting even, that the claims now made were most unreasonable, and that their concession would be most impracticable, yet it became Parliament to consider whether the people of Ireland had not reasonable grounds for cherishing a growing desire for Repeal. He asked Englishmen to make the case their own. He asked them to consider how they would like to see the tithes applied to a Church to which not one-eighth of the population belonged? How they would like to see their municpal rights and their franchises far more restricted than in any other part of the country. The whole difficulty of governing Ireland, that which distracted the country and excited the passions of the people, was the existence of an Established Church in the country, which was the Church of the minority, and not of the majority. He had no desire, however, to annihilate the revenues of the Church; indeed he always thought it a great wrong that twenty-five per cent. of them should have been given to the landlords to console them for having been made tithe proctors to a sinecure Church. The lands were bought subject to the tithes, and he desired that the produce should be paid to both the Protestant and Catholic ministers, in proportion to the duty each had to perform. If the Catholic clergy would not accept their share, he would give an equivalent amount towards building churches, religious houses, colleges, or other religious purposes, most acceptable to the heads of that Church. If the Government had the moral courage to grapple with the ecclesiastical establishment of Ireland, he was persuaded, that the difficulties with regard to the Government of that country would cease. They should govern Ireland as they governed distant dependencies of the Crown, whether Hindoo or Roman Catholic, whether India or Canada. They should respect her Church, and her sons would respect and support the Government. He should vote for the amendment, and against the second reading of the bill.

Mr. *Roebuck* said it was impossible to consider the Arms Bill for Ireland without considering the general policy of the Government towards Ireland, and it was impossible to consider the conduct of the present Government without reference to the late Administration, and the past history of that country. The subject of Ireland was fraught with melancholy considerations to any one who wished to stand as a disinterested party between contending partisans, and also a fruitful subject of invective and furious hostility to the contending parties themselves. It was, however, to be hoped that Englishmen, though they had been the chief cause of the miseries of Ireland, would at this time, at least, keep their minds calm amid contesting factions, and endeavour to discover the right mode of governing that large section of the empire. Let them not forget the true question before the House—whether or not such a measure as that on the Table was requisite for the government of Ireland or any other civilised country in the world? Let him not be understood as putting the question in the shape of an imputation on the present Government, for he should be able quickly to show that they had been only stepping in the footprints of their predecessors, and carrying out the principle upon which Ireland had been governed for centuries past; but that principle he was prepared to impugn. That he would show by and by, when he brought the subject to the Bar of calm reason and quiet consideration. As he was one of those who for years past had been regarded as nominally taking a part in the Government of Ireland, he would show them how they had been kept in the dark with respect to that country. True it was, that the present measure was a continuation of a system which had lasted for centuries, but he deeply lamented that the cautious spirit which had usually distinguished the Administration of the right hon. Baronet appeared to have forsaken him; or it would have enabled the right hon. Baronet to see, that at the present time it was impolitic, to say the least of it, to press such a measure upon the consideration of Parliament. A little consideration would have shown the right hon. Baronet, how futile, how useless, and how insulting, at the same time, such a measure was. The right hon. Baronet should have taken advantage of the opportunity which was offered to him to step beyond his predecessors in the race of liberality, and to show that he understood the feeling and spirit of his times, and better understood than those whom he had displaced, the principles upon which Ireland ought to be governed. He was not blaming the right hon. Baronet for not going beyond his predecessors, but he was about to vindicate him from the charge of having brought a fresh insult upon Ireland. He would show that the right hon. Baronet had not done that. But at the same time he regretted, that the right hon. Baronet had not gone beyond them, and proved himself wiser than those who had preceded him. He had said the bill was the continuation of an old system. It was a remarkable fact, that of the late Administration there was not a single Member in the House, except the right hon. and learned Gentleman, the Member for Dungarvan. [An hon. *Member* — "He was not a Cabinet Minister."] The right hon. and learned Gentleman was so distinguished, that he derived no additional honour from being a Member of the late Administration. In that House he was sorry to say, that there were parties who took advantage of this measure for their own peculiar purposes in different ways. Of those who might be considered as peculiarly the representatives of the Irish people, there were two great sections. The hon. and learned Member for Cork, at the head of one of them, threw himself upon the masses of the Irish population, and identified himself with their feelings and prejudices — and passions, if they would have it so. And there was another section in that House, with whom he had no sympathy, who spoke like Irishmen, who complained, not because the Government of Ireland was bad, but because it was not an Irish Goverment, and the patronage of the Government was not given to Ireland. [Sir *W. Barron*—" Hear."] *Rem acu tetigisti.* But there was a third and distinct party in that House, the Reform party, who were desirous of seeing Ireland governed upon the great principles which ought to influence and actuate every Administration; and as a humble Member of that Reform party he claimed to express his opinions. He was ready to put his shoulders to the wheel, and endeavour to drag Ireland out of the slough of maladministration. He had looked into the Arms Bill in company with a learned Friend, who was an English lawyer, and to whom he said, " Let us learn what was the previous law; what was the prior act to this extraordinary measure." He did not profess to be an Irish lawyer, but he had made an appeal to an Irish lawyer upon the subject, and could get no definite opinion from him. He had a work in his hand, however, to which he could appeal with confidence; one which directed him not merely to the statutes of the Imperial Parliament, but of that domestic legislature which was so earnestly desired, and which was to be the panacea for all the ills of Ireland. He knew how the Irish Parliament was established, and he knew that it was a mischievous Parliament; but it should always be recollected, that it was an Irish Parliament. The Arms Bill was passed by the Irish Parliament first in the 36th year of George 3rd; it was continued from that time till the time of the Union, and it was in existence and force, and continued, so after the Union. It was therefore, from the beginning an Irish bill, and conceived upon an Irish principle of Government, which, by-and-by, he should impugn. Let it be recollected, that it was not a Saxon insult. " It came from your own country." [Addressing the Irish Members on the Opposition Benches.] " The poison, though reptiles, it is said, do not flourish in that country, was produced in Ireland." In 1807, the Imperial Parliament reconsidered all these acts, and he held in his hand which he did not think the " learned" Gentleman would dispute — the Irish statutes. In 1807 they were repealed, consolidated, and re-enacted by the 47th of George 3rd. That continued to be the law up to the 50th of George 3rd; and that 50th of George 3rd had been the law, and was still the law, but which law would expire at the end of the present Session. This bill of the 50th of George 3rd, according to the hon. and learned Member for Kinsale (Mr. Watson) was minutely different from the present bill. He had in vain listened for anything like a substantial difference that had been pointed out between them; and that he took to be the great imputation upon the policy of the present Government. He wondered that the Government should have brought on such a measure, and have created such a turmoil for such a purpose, when in two lines to have re-enacted the 50th of George 3rd would have placed them in the position of continuers of the law, and would have enabled them to derive all the benefit which could be derived from such a measure without incurring the imputation of having heaped a new insult on Ireland. That bill was re-enacted during the reformed Parliament, and during the administration of the Whig Government. The hon. and learned Member for Cork, and the hon. and learned Member for Dungarvan, jealous of English domination and alive to Irish honour, had assented to the passing of this bill. Looking on them as watchful guardians of Ireland, he (Mr. Roebuck) and others had put faith in them; and it had read him a lesson never to put faith in the representatives of Ireland when the interests of Ireland were at stake. He meant no offence. The Members for Ireland had been misled by believing that the existence of the then Government was the grand thing for which to strive. The present Member for Rochdale was the only exception to that line of conduct, and both in and out of the House he had raised his warning voice against the then leader of the Irish people.

But the superior authority of those who were then considered the chief leaders of the people lulled to sleep all watchfulness on the part of hon. Members, and the bill of the 50th of George 3rd was re-enacted; and why? because, as the hon. Member for Liskeard had said, it was to be carried into execution by a Whig Administration. He thought that the Coercion Bill would have been a slight hint that they ought not altogether to trust a Whig Administration; however, they did trust to it, and now came the moral. If, when there was a Government which conciliated the people of Ireland, they admitted the principle that an Arms Bill was necessary, *à fortiori*, when there was a Government which did not conciliate the people of Ireland, an Arms Bill was necessary. The social condition which was created in their minds remained the same, but the Government was changed, and was the measure rendered unnecessary now because the Government did not conciliate the people? To that question he wanted an answer. The 50th of George 3rd being thus re-enacted under the auspices of the hon. and learned Members for Cork and Dungarvan, he had looked to see if there was any distinction between that bill and the bill now on the Table of the House. He should be very glad for any Member to point out to him any difference which would affect an English mind. It might do very well to tell him that there was a branding of arms, as if that made any difference. By the 9th section of the 50th of George 3rd, it was enacted that no person should exercise the trade of a blacksmith without previously registering his name, and where his forge was situated, at the nearest sessions. These licences were to be withdrawn from them if they made pikes, and those who made them were to be punished; search was to be made for the pikes, and those having them to be punished, and the person convicted a second time of any of these offences was to be adjudged a felon and transported for seven years. A right hon. Member drew this distinction between that bill and the present, that this punishment was inflicted for the second offence, while under the present bill such persons were liable to be transported for the first offence. The hon. Member for Kinsale said, that this was so slight a difference to the mind of an Englishman, that he could not contain his indignation at one act or the other. But he found that the Irish could sit quietly under what roused the indignation of the hon. and learned Member for Kinsale; but they started into ungovernable fury if this punishment was to be inflicted for a first offence instead of for a second. [Sir *J. Graham*: the 47th of George 3rd made the punishment of the first offence transportation.] The difference between the two acts was where arms were found in a person's possession. Whatever the distinction might be, then in this respect, if hon. Gentlemen opposite should turn to them and say, "You have justified this principle," he should tell them that they had no answer to make, for that, having admitted the principle, they were out of court. For his own part he wanted not to make this an Irish question, nor to make it a ground for the existing discontent; but he wanted to place the question on the broad principles which ought to govern our administration in Ireland; and it was in this view of the case that he advanced to the consideration of that measure as one introduced to secure the due adminstration of the law in Ireland. This was answered, first, by the Members of the late Government; and, secondly, by the Members from Ireland. But it was no answer to him. He quarrelled with it because it was a system which prevented anything like good Government. But he would call to mind some of the circumstances connected with the history of Ireland which they never should forget, and which the hon. and learned Member for Liskeard said, made the history of Ireland a blot and digrace in the history of this country. Ireland was unhappily a conquered country, and we bound the people down to a state of almost slavery. As Englishmen went by degrees to Ireland, they got merged to a certain extent into the population of the country, but still the great bulk of the population continued a subdued race. Circumstances, which were most happy for the advance and civilization of England, proved to be the cause of great misery to them. For instance, take the Reformation, with its accompanying circumstances, and see what results it produced in this country; but for the people of Ireland misery was the result; and even for them the establishment of religious liberty proved a source of misery. He did not wish to speak of the effect of religious opinions, one way or the other; but he alluded to the results that had flowed from the Reformation in this country, and he could not help feeling that it was one of the most miserable circumstances that could have happened to the country that the Reformation did not extend to Ireland. The large body of the people of that country remained Catholic, when the large number of the people of England ceased to be Catholics, and while we changed our institutions for the altered circumstances of this country, we endeavoured to enforce them in Ireland. Again, in 1640, when for the great good, and honour, and renown, and prosperity of England, such changes were effected, the same effects, which were productive of so much benefit here, became the source of poison in Ireland; and those who were the greatest friends and upholders of liberty here, became the most cruel and relentless tyrants there; and those that established that bill of rights, which had been so pointedly alluded to by his hon. and learned Friend the Member for Kinsale, brought that petition of right to bear in such a way, that it became the source of the most severe tyranny that Ireland ever knew. Thus had been created for Ireland that baneful feeling of hatred, and next, that imperious and direful opposition to any change, or to the adoption of anything, which they would almost necessarily regard as heretical. Such a state of things as this had counteracted all moderation to the present hour; and the present Arms Bill was a faint manifestation of the spirit which had obtained in legislating for Ireland, but which in England would be condemned as destructive to liberty. If Ireland had been governed in conformity with laws which were thought good here, what necessity could there be to propose such a law as that now under consideration. He confessed that he had been very much struck by the declarations made in the course of the present discussion by several Irish Members, for whose opinions the House must entertain great respect, and who had distinctly stated that some arms bill was necessary for Ireland. [*No, no.*] He said, yes, yes, and would call to the recollection of the House the opinions expressed by the hon. Member for Roscommon, by the hon. Member for Northamptonshire, and the hon. Member for the City of Waterford, and other hon. Members on that (the opposition) side of the House, that for the security of persons and property in Ireland some measure was necessary with respect to the registration of arms. Now, in England no measure of the kind was required. There might be some restriction as to carrying arms in England, for the country gentlemen wished to preserve their partridges, and therefore it was somewhat dangerous for a poor man to carry a gun; but no offences affecting our social relations were feared from that source; there was no danger of assassination apprehended by such means, unless it was the assassination of a partridge. But how was it that the feelings of the people of Ireland were so perverted that such a law was necessary for their government? He agreed with the right hon. Member for Dungarvan in his pointed observation. Did you deprive the assassin of the means of attack, who came from a distance to carry out his diabolical object? Not at all; but it was his victim that you deprived, by your bill, of the means of defence. True, you tell him that he must go and get a licence before he could be allowed to carry arms. But suppose that he could not get security for this from his neighbours, and suppose he was exposed to the ill-will of certain persons; and this he was justified in supposing, for it was an every-day case in that country. Now it happened that the attack of the assassin in Ireland was seldom directed against the large landed proprietors of that country, or those whom the right hon. Baronet had described on a former occasion as living in slated houses; but the poor man who had happened to take a few acres of land over his fellow. By such a bill as this they took from him the means of defence which science and art gave him, but did not deprive the assassin of the means of offensive attack. Could they show him the proof that this act had kept down crime in Ireland? He replied, that it never could or would. The Government by pursuing these means were creating hostility towards themselves, and as the people from day to day increased in knowledge, and improved in manners, it would become more and more difficult, and at last impossible, for them to govern Ireland after such a fashion. Why so. Because the people of Ireland were beginning to see the effect of such legislation as this, and they would prevent you. It was often said of Ireland that it could not continue for any time to be governed on the same principles as this country. This, then, was not now to be imputed as the fault of the present Government, for the same complaint existed under their predecessors, for the right hon. Gentleman opposite, when they came into office did not change the great principles on which Ireland was governed. It had been pointedly said by the noble Lord the Member for the City of London, that he could not vote against the second reading of the bill. What did that mean but that the Government of conciliation to which the noble Lord belonged, and which they were told had for so many years maintained Ireland in peace and tranquillity, considered that a bill founded on a similar principle to the present was necessary? Therefore he (Mr. Roebuck) contended that on principle there was no distinction between the Government opposite and their predecessors, as regarded the government of Ireland. The noble Lord, if he votes at all, will record his vote for a measure most offensive to the mind of Ireland. The noble Lord said that he agreed in the principle of the bill, but the principle of the bill was not evinced merely in the bill itself, but in the whole political relations and government of the country. In the whole political relations of the country there was no essential difference between the present and the late Government. The truth was, that the real evil in the system of government in Ireland was the rampant domination of the Church in Ireland. This church of the minority, which, after so much bloodshed, was created by the invader, was now supported and upheld by your serried bayonets. The noble Lord who spoke before the right hon. Baronet said, that he did not wish to infringe on the temporal revenues of the Church of Ireland, but that he wished this Church of the minority to be altered. Now he (Mr. Roebuck), wished to know what alterations the noble Lord wished to make in the Church, if it was not in something affecting its income. He presumed it wa not in the doctrines of the Church. Was it not, then, in its revenue, or that which was called by hon. Gentlemen its vested interests, but of which if he had the power he would disencumber it for the sake of the peace in Ireland. If any man, then, said that he wished for an alteration in the dominant Church of the minority, it must be in the means of paying the ministers of that Church, and, in short, in the revenues of the Church. He, for one, would, without hesitation, propose at once that the revenue should be taken from the present Church in Ireland and given to all churches there, or to the church of the majority. This must be the real meaning of every man who attacked the Church of Ireland as being the Church of the minority. He did not altogether approve of the Church in England; but still it was less offensive as it was the Church of the larger number of the English people. The noble Lord said, that he was against the present state of the Church. Did he mean to attack its creed or its doctrines? No certainly not, but to attack its revenue. [The Earl of *Listowell* wished the Church revenues should be made available for others as well as the Church of the minority.] Very well; but then the noble Lord would take from the existing minority Church, and share the revenue among other existing sects in Ireland. But this was a very serious interference with the revenues of the Church, and he should like to find any Gentleman who had a benefice, who, when he found he was robbed of nine-tenths of his income, would not loudly exclaim against it. He did not use the term rob offensively, but he was determined to be above board, and to say what he really meant. He wished them to take the revenues of the Church, and he did not intend to say one thing and mean another. [Mr. Sergeant *Murphy*: "The Irish will do that."] Oh! my hon. and learned Friend, the Member for Cork, exclaims, "Please God, if the thing goes on, we will do it." That, then, was only what could be fairly and honestly meant by alteration in this most mischievous institution, which he sincerely believed was the great plague and sore of Ireland. He could not help recollecting what this plague and sore had inflicted upon that country under the system of what was called Protestant ascendancy. What did this Protestant ascendancy mean, but that it was a symbol of subjugation of the people of Ireland to the invader? and it was what you formerly considered a triumph over heretical opinions. He never could believe that the continuance of this Church could be consistent with the preservation of the peace of Ireland. For the support of this establishment, measures of which this Arms Bill was a specimen would be constantly called for. The Liberal party in Ireland unfortunately acted with the late Government. But when the present Government came into office. the light of truth suddenly broke upon them as to the evil of the whole system of Government in Ireland. His hon. and learned Friend the Member for Liskeard had exclaimed against this bill, and denounced the despotism involved in it, but he had not objected to this principle of despotism for some years. No, the hon. Member only now found out that he disliked it under the present Government. Now, he hated despotism from every hand and from every quarter; and he objected to the Arms Bill as an act of despotism, whether it came from the noble Lord the Member for the City of London or from the right hon. Baronet. What he found fault with in the hon. and learned Member for the City of Cork was—and although he was not present,he should not abstain from making the observation, for he could not help the hon. Member's absence—that for the purpose of maintaining the late Government in office, he sacrificed the principle of public liberty in supporting previous Arms Bills. Was this the time of day, when a Member of Parliament, in the performance of his duty, should be driven by any wind that might arise—was this a time, when a public man should one day support an Arms Bill, and on another put himself at the head of some hundred thousands of men for the purpose of carrying out an idle whim, that could be productive of nothing but evil, was it consistent thus to be driven about by every breeze and wind that blew. He was glad for one that the present discussion had taken place. This was really the new era in the government of Ireland—the era when the chief, the leader of the Irish Members, was absent from Parliament—choosing to be away when, for the first time, the question was raised in the United Parliament of Great Britain, of the principle of governing by an Arms Bill. Now they would see who voted for the principle of government for Ireland as manifested in the present bill, for that was what they were called upon to do. Every Irish member and every English member who did not vote against this bill, or by staying away avoided voting against it, as well as every man who voted in the majority (for majority it would be) with the Government, gave in his adhesion to the whole system of domination in governing Ireland. And, on the other hand, every man who voted for the amendment of the hon. Member for Rochdale went with the spirit of the age in which they lived, and vindicated the true principles by which men were to be governed, and set his seal to the great truth, that for the maintenance of the peace of Ireland, or the proper Government of that country, no such means of force or coercion were necessary. He would direct the careful and serious attention of every Irishman to the present condition of his country; he would call upon the well-thinking people of England also to consider it. He did not wish for a separation of the two countries; but it was a fair conclusion that if, in governing the Irish people, they maintained that spirit—that olden spirit of domination which had resulted from successful invasion and religious intolerance, the Irish would fly to those means which were presented to them to relieve themselves from this intolerable burthen; and to say that they call for those means of relief now and had not done so before was to say that they were more wise and more enlightened than they formerly had been: he did not say that the Government were as cruel now as in times past, or that there was cruelty in thus maintaining the olden law; but he held it out to them as a warning, and a warning to statesmen who should derive advantage from experience—that this cry of repeal now was a cry that should be listened to, not with a view of admitting the demand, but to be listened to as showing the necessity of governing Ireland in the way they would govern England, and that was not by extending the Church of England to the people of Ireland, who were opposed to that Church, but that they must govern Ireland in all respects on the principles which directed them in the Government of England. The Church of England was the church of the majority in England. He objected to it in this country; but here it had a sanction which it had not there—[*Hear, hear.*] Here it was not, as it was in Ireland, an outrage on religious freedom and religious liberty, and a curse which the people of that country were right in endeavouring to remove. In England, feelings of respect and love were with the institutions of the country: while in Ireland there was hatred, fierce and bitter hatred, and now threatened vengeance. What were they to do with the present movement in Ireland? It behoved the English Parliament fairly to meet that question. Did they intend to put it down by force, and were they about to enlist the English army against the Irish people? The Irish people had risen already, and he could not help wondering that the right hon. Baronet opposite—usually so cautious and so careful, that he was wont to be regarded as the very exponent of political sagacity and prudence—that he, for one petty feeling, should have expressed his disapprobation against the leaders of that movement, so as to give them the pretext of martyrdom. The right hon. Baronet by that unadvised and imprudent declaration had pointed out to the people of Ireland, that their leaders were feared by the Government, and those whom the Government feared the people loved; they could not disarm those leaders of the power they possessed but they exalted them by making them appear to be martyrs. This would be but the commencement of the struggle; who could tell what would be its conclusion? Were they prepared to pass a new coercion bill for Ireland? How were these millions who had risen up in Ireland to be put down? Were they to be told in that House that the mere discussion of a law was to be held high treason? Not against the state but against the Government. What! were not the people to be allowed to meet to discuss the merits of an existing law? Had he not a right, in reference to any law, to write about it, to speak about it, to think about it, aye, or to rail about it, if he chose? True, these things were done in Ireland, but so long as they were done peaceably, why not? He looked then upon the impolicy of the course of the Government in Ireland, in reference to those who had taken part in those acts, and upon its injustice. It was impolitic, because they could not dismay the party they attacked; and it was unjust, because the attack was illegal. One leader, a magistrate, had given offence to the Government, or rather the Established Church, the Protestant party of Ireland, and was dismissed. He marked the answer of the right hon. Baronet the Secretary of State for the Home Department when a question was put to him on the subject. That right hon. Gentleman, usually so clear, so definite, so precise in his language, when he was asked had the Government given any information or instructions to the Lord Chancellor of Ireland on the subject, had given no answer. Why? Because the Government had given no such instructions. He never said that Government had desired the Lord Chancellor to take such a step. But the Lord Chancellor of Ireland wished to busy himself in putting down repeal, and in his zeal he had written a letter which would be a warning to all future generations of Chancellors. He had given reasons for a system of policy. Chancellors should confine themselves to giving the legal reasons for their decisions, and the Government was dragged into serious errors when its policy was administered and explained by a Lord Chancellor of Ireland. The Government had been obliged, it was said, to adopt the policy of the Lord Chancellor. The Government could not remain divided against itself. It often happened that other Members of the Government committed faults which the right hon. Baronet covered with his great sagacity, holding it as Ajax held his shield before Teucer, and enabling his little men to run off. By the Chancellor's conduct the Government of the right hon. Baronet had been shaken to its base. It was endangered by the present movement in Ireland. The right hon. Baronet had on a former occasion prophesied that his chief difficulty would be Ireland. It was clear now that his chief difficulty was Ireland, and was to be found in the support of the hon. and learned Member the Recorder of Dublin and his friends. The Government was making shipwreck by following their advice. The right hon. Baronet might depend on it that his Government would be continued in difficulty by accepting their support, and that unless he escaped from their support the Government would escape from him. His Government was getting involved in difficulties which would require all his skill to escape. Let him look at the state of the country, from John o' Groat's House to Ireland, and there was everywhere danger and difficulty. If he proposed measures, at present, of coercion for Ireland—if he were involved in contention with Ireland, he might look for the latent feelings which were rankling in the bosoms of the working classes of England to show themselves. They would again set up their claims. There were strong feelings excited in Scotland too, which would have way. How could he escape? By what measures could the right hon. Gentleman escape from all those difficulties and dangers which were brought on him by his desire to satisfy the demands of the dominant minority in Ireland, which was the weakness of the Government, and the plague-spot of the domination of England. He bade the right hon. Gentleman take warning. He might be assured that there was a great danger hanging over the country. If the right hon. Baronet would not risk the peace of the country, he must govern in the spirit of the age, and not with a view to satisfy the Orange Conservatives of Ireland. Following the dictates of his own enlightened mind, knowing what is right, feeling what is just, he must do that justice to Ireland which, if the right hon. Baronet but concedes it, he need fear nothing for himself.

Sir *H. W. Barron* condemned the vehement and improper language which had been applied to the great and illustrious warrior at the head of the army. At the same time, it was not very decent in some of the Gentlemen opposite to condemn such language, for they had used similar language themselves towards the Duke of Wellington. The right hon. Baronet (Sir J. Graham) had persons sitting near him who had used similar or worse terms not very long ago. He thought therefore that right hon. Gentlemen opposite should look into their own recorded speeches. In common with other hon. Members, he must condemn the appointment of Messrs. Blackburn, Lefroy, and Jackson to the judgment seat. These were all persons who had been all their lives violent partizans, who could not see them placed on the bench without loosing their confidence in the administration of justice. Mr. Jackson, who had been so much praised, had been all his life opposed to the Catholics, and had never, before emancipation, signed a petition in their favour. He had been secretary of a society which had endeavoured to proselytise the Catholics, and continued secretary of it after it had been abandoned by all the Catholics who had been members of it. The best proof of the character of the society was, that the noble Lord (Lord Stanley) had withdrawn from it the grant of public money which it had received. The House could not be surprised, therefore, that the appointment of Mr. Justice Jackson should cause discontent, for that gentleman had always been the enemy of the rights and liberties of the people. The same observation applied to Mr. Blackburn. As to Mr. Lefroy, he was so violent a politician, that even the Duke of Northumberland, a Tory Lord-lieutenant, would not allow him, when a sergeant, to go circuit as a judge. Again, with respect to education, the opponents of the system of education were all selected for promotion in the Church. The last three bishops who had been made were all opponents of the system. The appointment to the bishopric of Cashel and Waterford had been conferred on the most determined opponent of that system there was in Ireland. Such proceedings made the people believe that the scheme was all a delusion. It was a sure passport to promotion to get up public meetings against the system of education which the Government supported. Coming to the bill, he denounced it as the most unjust and most unconstitutional. It was not a repetition of the measure of the Whigs, it was much more stringent. Under their measure two justices were required to order a search, but under this bill one was sufficient, which exposed men to the spite and malice of individuals. Their houses might be broken into in the dead of night, and their whole families alarmed and insulted. To obtain a license also sureties were necessary that were rated at 20*l.* to the poor. Why, there were districts in Ireland twenty miles in length, in which there was not one person rated to the poor in the sum of 20*l.* He could tell hon. Members, that if this bill became the law of the land, and were enforced, the result of it would be, especially in the north of Ireland, that the Roman Catholics would be disarmed, and arms would be left exclusively in the hands of the low, violent, and ill-conducted Orangemen. Why, he asked, was such a bill to be applied to Ireland? As far as crime was concerned, England was in a worse state than Ireland; and they would not dare to apply such a bill to this country. Let them compare the crimes committed in the two countries. The number of crimes committed in Ireland in 1841 was 5,361; in 1843, 6,535. There were more crimes in 1842 than 1841. The population in Ireland was 8,000,000. In England it was 16,000,000. The number of crimes according to the relative proportion of the two populations ought to be in England 16,000. Instead of that, the crimes in England were 32,000. There were four times the amount of crimes committed in England than there were in Ireland. [An hon. *Member*: Compare the murders.]

He had compared the number of crimes. In England he only took the number of committals, whereas in Ireland he took the police returns as the basis of his calculation. Thus the return was the most favourable that he could take for England, and yet not only were the crimes double those of Ireland, but they quadrupled them. It had indeed been said by the hon. and learned Member for Bath, that an Irish Parliament had passed the Arms Bill. That Parliament was not deserving of the name of "Irish"—it was a sectarian Parliament—it was a Parliament opposed to the views of the Irish people—it was a Parliament that did not represent their feelings, and acted contrary to their interests, and the Parliament that passed that Arms Bill, had it forced upon them by an English Secretary, an English Government, and an English Lord-lieutenant. It was no such Parliament as there would be now, when there was religious liberty, and the persons that would be sent in as representatives would be under popular control. Instead of a bill of coercion, they ought to have a bill for extending the franchise. They ought to have this, for now the franchise was so much diminished, from one end of the country to the other, that Ireland was becoming almost a rotten borough. They claimed, he told the Government, an extension of the franchise, and please God! they should have it. They claimed, too, a larger representation in that House. They claimed a thorough reform of the magistracy in Ireland. There were also nine measures of improvement for Ireland introduced into that House by Mr. Lynch, now one of the masters in Chancery. The Government had never attempted to grapple with any one of these bills. He had himself introduced a measure of reform for the Ecclesiastical Courts in Ireland. They had attempted a reform of these courts in England; they had not done so for Ireland. He had also introduced a measure relative to the management of charities in Ireland. Here were seventeen different measures; several of them not political, and all affecting Ireland, and yet the Government did not grapple with any one of them. Now, he asked the Government of what portion of the Irish people had they the confidence? He believed of none, and he could bring some testimony to show this. He took the three papers published in Dublin, which might be said to represent the three different parties. These were the *Dublin Evening Mail*, the *Dublin Evening Post*, and the *Pilot*. The *Pilot* was the organ of the extreme party. They might be assured it liked none of these measures, and he would not trouble them with what its opinions were against them. Then there was the *Evening Post*, it represented the moderates, or what they might call the *juste milieu* party; and it disapproved of their measures, their appointments, and their policy, from the beginning of their career to the present day. Then he came to the *Evening Mail*. It was one of their supporters in Ireland, and it showed that the number of troops in Ireland were doubled since the Tories came into office. This was shewn when they had this fact before them, that when Lord de Grey went to Ireland, he dismissed twelve stipendiary magistrates, on the ground that they were not necessary, the country was so quiet. Let them now listen to this "recorder" of public opinion. It declared, that in Ireland, the Government was only supported by the place-holders and place-hunters. He now came to three papers published in this city, that might be regarded as the organs of different parties. [*Interruption.*] Such noises were better suited to the quarter-deck than to that House; and there was one noble Lord, he thought, would do much better not to increase it. He quoted the *Times* to show that it did not approve of the Irish policy of the Government. The *Morning Chronicle* was not more in their favour; it could hardly be expected it should be. The *Morning Post*, certainly the most consistent and honest of the Conservative organs, said of the conduct of her Majesty's Ministers in reference to Ireland, that,—

> "There could certainly be no policy worse for Ireland than the frigid indifference and cold contemptuous tone of conciliation which they applied to all the affairs of that country."

The fact was her Majesty's Ministers had lost the confidence not only of the people of Ireland, but of Scotland and of England, and he would ask, did they think they could go on much longer with this do-nothing principle, or rather worse than do-nothing principle, for the only measure they proposed was this obnoxious Arms Bill? The noble Lord the Secretary for Ireland said, that this Arms Bill was rendered necessary by the disturbed and threatening state of affairs in Ireland. If so, the confession was a disgrace to the Government, for the country was never in so peaceable a state as at the period when the present Ministry took office. This Arms Bills was but an attempt to continue the old Tory system of governing by force and intimidation; but he could assure the Government that they would not succeed in their attempt. The Irish were a high-spirited and brave nation, who had never yet calmly submitted to be governed by force, and, please God, they never would. There was one other point upon which he wished to say a few words. The City of Waterford, which he had the honour of representing, hitherto possessed six magistrates, who were more than enough to do the business of that city. These magistrates were of different parties, and no complaints had ever been made of the mode in which they administered justice in the town. Yet, notwithstanding these facts, the noble Lord opposite had thought proper to appoint six new magistrates to the City of Waterford; and it happened that nearly all these newly-appointed magistrates were men who took the most prominent part in party politics and in the promotion of party measures. Under such circumstances, these appointments had lighted a flame throughout Waterford, it being considered that this move was intended to confer power on particular parties. The noble Lord, perhaps, was not aware of local matters of this description in Ireland. He had every respect for the high honour and integrity, and the general good feeling of the noble Lord. But these qualities were not enough for a man who governed a great nation; he should have practical experience and a sound decision. He was too apt to be led by other parties; and when he knew that the advising counsel of the government at the Castle had distinguished himself by his violent political character, he felt that he could have no confidence in the Government of the noble Lord. The information upon which the noble Lord acted in reference to Ireland, was taken from the worst and the most polluted sources; and the most grievous part of the question was, that the Government was surrounded by men who were the most inveterate enemies of the Irish people. He called upon the Government to consider what a continuance of this state of things might lead to. He called upon them to recollect the American Revolution. There were then not more than two millions to coerce in the revolted States; let him remind them of the words which were used upon that occasion by the immortal Burke, "that force was feeble to coerce men so great in moral character, so glowing in energy; and that a nation could not be said to be governed, which had to be perpetually conquered."

Sir *David Roche* felt bound to say a few words, in reply to the attacks which had been made on his friend Mr. Justice Jackson. He believed that that learned judge, from the time he had been called to the bench, had given universal satisfaction in his judicial capacity, and he felt that he should not be doing his duty if he did not, in his place in that House, express his high sentiments of the learned judge's character. Strong political partizans had been appointed to the bench in Ireland by both parties in the state at different periods; but as far as his experience went, he believed that those judges had always conducted themselves in a manner to command the respect and confidence of men of all parties. With respect to Baron Lefroy he was not so well acquainted with him in his judicial capacity, but he believed that there was no ground of complaint against him, except that he sometimes displayed a little too much humanity in the cases brought before him. With respect to the bill now before the House he objected to its provisions, because he thought they would not succeed in depriving the evil-disposed of arms, whilst they would subject to unnecessary inconvenience, and to severe pains and penalties, those who were well disposed. He hoped, therefore, that some modification of the bill would be made in committee to meet the objection upon this score.

Sir *H. W. Barron* said, in explanation, that he had not the least intention of impugning the conduct of Mr. Justice Jackson and Baron Lefroy since they had been raised to the bench.

Sir *R. Peel:* I do not consider at this hour of the night, in the absence of many Members of the late Government, though I do not refer to the fact as any matter of blame, for I think the noble Lord the Member for London intimated his intention of giving his support to the bill—I do not, I say, consider it desirable at this hour, and remembering the nature of the question before us, to enter, in the absence of many whom I should desire to be present, into a general vindication of the conduct of the Irish Government. When the proper time arrives I shall be perfectly ready to vindicate the acts of the Government in Ireland and of the Government in this country, in connection with it. I shall be prepared to show that I have redeemed every pledge which I have given, with respect to the Government of Ireland, and that the Government here and the Irish Government have attempted to administer affairs in that spirit of moderation, impartiality, and forbearance, with which I think the affairs of Ireland ought to be conducted. And I cannot accept the testimony which, with not a very laudable industry, the hon. Baronet collected from every newspaper, as conclusive evidence of our failure in those attempts. Sir, before Gentlemen not immediately versed in Irish matters, and not having any local experience in that country, draw an unfavourable conclusion with respect to the conduct of our Government, I entreat them always to bear in mind the testimony so honourable to himself, which we have just heard from the hon. Gentleman opposite (Sir D. Roche). The chief charge alleged against us is, that we have appointed to the judicial office two Gentlemen of high professional distinction, Mr. Justice Jackson and Mr. Justice Lefroy. The hon. Gentleman, hearing their judicial conduct attacked, he a Roman Catholic—[*Cries of* "*No.*"]—well, if not a Roman Catholic, and I beg the hon. Member's pardon for the error, a Gentleman decidedly friendly to Catholic claims—of strong political and party opinions—a Gentleman connected with the Liberal party in Ireland, cannot remain silent when he hears an imputation on those learned judges which he knows to be unjust; and he states, therefore, from his personal experience of the conduct of one of those judges, and from his general knowledge of the conduct of the other, that the discharge of their official duties is free from all blame. He says if there is any one respect in which they have failed, it is in too great humanity in the exercise of their duty. I say, then, remember the testimony so borne—a testimony so creditable to himself, and of such weight, from the disinterested character of the witness from whom it proceeds, before you place implicit confidence in the other charges against the Irish Government; remember, I say, the refutation of the charges brought against them as to their judicial appointments. Sir, I wonder that hon. Gentlemen do not exercise a little of that tolerance and liberality of which they profess themselves the champions. In speaking of the judges, and the performance of their judicial duties, they do not refer to these acts; they do not regard their professional eminence; they never refer to their professional claims or ask whether they have entitled themselves to public approbation for the discharge of their judicial duties, but they ransack speeches made at a former period in a political character, and on some passages of those speeches hon. Gentlemen condemn our appointments. If I had pursued the same course with regard to Sir Michael O'Loghlen for instance, or with regard to the other Attorney-general for Ireland, elevated to the Bench under the late Administration, whose professional eminence, I admit, fully entitled them to the honour conferred on them, what would have been thought of me if I had said, "true, his professional rank supplies a claim to distinction; true, his judicial conduct has been above exception; but he held strong political opinions on some particular measures, and he is not therefore entitled to reap the reward of his professional merits." If I had taken such a course as that, in what light should I have been regarded by the House and the country. But, Sir, to confine myself to the particular measure before the House, I must say the hon. Gentleman, the Member for Waterford, has not answered the question put to so many others who have denounced this bill—"If you entertain the opinion which you now profess—if you believe this bill to be an insult to Ireland—if you believe the Bill of Rights conceded a privilege which this bill infringes and infringes unjustly—if you think that independently of the Bill of Rights the common law of Ireland, as well as that of England, gave the subject this right, which he ought to continue to possess—if these are your opinions in 1843, why did you abandon your Parliamentary duty, and give your sanction to a similar bill in 1841." You say we found Ireland tranquil; you say that outrage was suppressed, there was no necessity for vigorous measures; and yet you, the representatives of Ireland, considering this as an insult offered to Ireland, did in the year 1841, when there was no necessity for vigorous measures—out of complaisance to the then Government, consent to take this infraction of the common law right of the subject, and without inquiry to vote in favour of it. And what says the hon. Gentleman one of the chief opponents of the present measure (Mr. O'Brien)? Why, that if we had not done him the favour of explaining the provisions of the former law, he should not have known what they were. He, a legislator, passes laws without knowing their provisions, and as a magistrate executes the laws without knowing what they enact. Sir, we thought it not right that we should re-enact the old law with a few continuing lines—that law which this worthy legislator and magistrate passed and executed without knowing anything of its provisions, until we called his attention to them. And is that your zeal for the liberties of Ireland? I think better of you than you would lead me to entertain from this debate. I do believe you supported the bill in 1841 because you thought the peculiarity of the circumstances of Ireland justified a bill of that sort: that you did not think you were offering an insult to, or unjustly infringing on, the liberties of the people by passing this act; but that having an intimate knowledge of the circumstances at the time, and knowing the peculiar outrages and class of crimes against which it was directed, namely, the assassination of the peaceable and unoffending subjects of the Queen, you thought yourselves justified in making an exception to the general principle of the law, and in taking security for the life and property of those entitled to ask for security from the Legislature under which they live. It is well to talk of general principles; but bear in mind the position of a man with a family liable to be attacked by assassins. If you can give him security against these, it is your bounden duty to do so. You can do nothing more likely to retard improvement than to banish from their residences those who are afraid of their lives. Read a description of any one of the murders recently committed, beginning with that of Lord Norbury and coming to the last case of Mr. Gatchell, who consoled himself with the reflection,

> "I took what security I could against assassination, but it was impossible to watch every bush that lay along my road."

Take the details of such cases into your consideration, and then say whether you can refuse your assent to this measure. And when did we propose this act? Not now with reference to the present state of excitement. You know perfectly well that we gave notice, at an early period of the Session, of this act, with reference to a totally different state of things, and intended for a different purpose—you know that there is no fair analogy between the extent of general crime in England and in Ireland; and that the question is, life not being secure, whether, on account of the possession of fire-srms, murder be not committed with greater facility, and the chance of escape increased, and whether it be not desirable, in order to facilitate the detection of the assassin, that there should be some regulation for the registration of arms. If the hon. Baronet who just addressed the House had, instead of referring to scraps of newspapers, considered the provisions of the bill, he would not have fallen into the mistakes which he has committed. The hon. Baronet said that, under this bill, the Protestant yeomanry will be protected, whilst Roman Catholics will be prevented from having arms. The hon. Baronet said he knew of districts in which the bill would have a tendency to facilitate the possession of arms by Protestants. I think I can satisfy the House that the Government have no desire to show favour to one class of her Majesty's subjects at the expense of another. By the existing law on the statute-book, and in actual operation, an exception is made in favour of persons serving in yeomanry corps; they are exempt from the liability to register their arms. By the bill now before the House, the members of yeomanry corps are placed on the same footing as all other persons, and the exemption they now possess will no longer be extended to them [Sir *H. W. Barron*: There are no yeomanry corps now on service in Ireland]. I say that at present the members of yeomanry corps are not compelled to register their arms, and by our bill we compel them hereafter to register their arms. At any rate, that provision shows the spirit in which this bill is framed. The speech made on the night before last by the right hon. and learned Member for Dungarvon was characterised, as is usually the case with all the speeches made by that Gentleman, by this peculiarity, that it contained a vindication of the measure which he so strenuously opposed. It was justly observed by my right hon. Friend (Sir James Graham), that in the first part of his address, the right hon. and learned Gentlemna spoke with the calmness of a witness. In that speech, the right hon. Gentleman, once the Member for the county of Tipperary, one of the principal scenes of outrage in Ireland, and now, I believe, a resident, certainly a proprietor, in that county, knowing its local circumstances, acquainted with the disposition to outrage which prevails among the people, and aware of the peculiar character of the crimes by which some parts of that county had been disgraced,—the right hon. Gentleman gave a picture of the state of Tipperary which establishes that distinction between the circumstances of England and of Ireland which justify the House in prolonging the duration of the measure now before them. I have heard nothing in the details of crime—I have seen nothing in the reports of police-offices—I have heard no opinions of magistrates on the subject, which have made half so strong an impression on my mind as the few sentences delivered in the character of a witness by the right hon. Member. He said that the state of that country was such, that he thought crime could not be effectually repressed unless the landed proprietors came forward to serve upon the petty juries; and he advised that, as it was found difficult to induce persons to undertake the voluntary performance of such important functions, the landed proprietors should supersede the class of ordinary petty jurors, being compelled to serve under a fine of 500*l.* or 600*l.* That is to say, the principle of the law being "*Judicium parium et lex terræ;*" that jurors shall, under ordinary circumstances, be selected from persons of the same class and position as the individual whom they are to try,

> "Such," (says the right hon. Gentleman) "is the state of this district with which I am perfectly acquainted, that on a fine of 500*l.* or 600*l.* I would compel the gentry and the landed proprietors to come forward and perform the functions of petty jurors."

Why, what is the effect of such a course? The outrages being of an agrarian character, the disputes relating to the possession of land—the question at issue being between the tenants and the landed proprietors—the remedy proposed by the right hon. Gentleman would enable the landed proprietors to sit as judges in cases between their tenants and themselves. What must be the state of this district when the right hon. Gentleman, a Privy Councillor, an eminent lawyer, considers it necessary, under a penalty of 500*l.* or 600*l.*, to require the landed proprietors to perform such duties?

> "Then," (says the right hon. Gentleman) "it is necessary, for the purpose of facilitating the detection of crime, that you should give full security to the witnesses."

These engagements to provide for the witnesses, unless entered with the utmost caution, partake of the character of an inducement to give evidence. The right hon. Gentleman added,

> "I know a case in which a humble neighbour of mine prosecuted persons charged with murder to conviction; I applied to the Government, I claimed their interference, and by the exercise of my legitimate influence I induced the Government to provide for the expatriation of that man, and of his family, and for their continued maintenance in the colony to which they were sent."

> "And," (said the right hon. Gentleman) "apply the same principle; invite witnesses to come forward; guarantee to them their removal to a distant land, and on their arrival there, subsistence for themselves and their families."

Sir, there are many things which Whig and Liberal lawyers will say, which, were they uttered by Conservative politicians, would excite suspicion, and meet with grave condemnation. There are some who, when a Whig Government administered the affairs of this country, could reconcile it to themselves to give an unanimous vote for the second reading of this bill, but who, when the same measure is proposed by us, denounce it as an outrage and an insult to Ireland. I am sure the right hon. Gentleman, in applying his principle, would, as far as possible, guard it against the possibility of abuse. He would, I am convinced, as far as possible, take care that this promise to provide comfortable appointments and subsistence in distant colonies should not degenerate into an encouragement of false testimony. I am convinced that if the right hon. Gentleman's will could prevail, none but the honest witness—the witness determined to declare the truth—would be selected by him for this mark of favour— favour, at least, as compared with the consequences of continued residence in his own country. But, speaking not of honest and truth-telling witnesses, what is the state of a country as to the commission of crime, and as to the administration of justice, when he who is disposed to bring the assassin to punishment is obliged to flee

Lemon, Sir C.
Leslie, C. P.
Lincoln, Earl of
Lockhart, W.
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Mahon, Visct.
Mainwaring, T.
Manners, Lord C. S.
Manners, Lord J.
March, Earl of
Masterman, J.
Maunsell, T. P.
Maxwell, hon. J. P.
Meynell, Capt.
Miles, W.
Milnes, R. M.
Mordaunt, Sir J.
Morgan, O.
Munday, E. M.
Murray, C. R. S.
Neeld, J.
Neeld, John
Neville, R.
Newport, Visct.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Northland, Visct.
Ossulston, Lord
Owen, Sir J.
Packe, C. W.
Palmer, R.
Palmerston, Visct.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Pennant, hon. Col.
Pigot, Sir R.
Plumptre, J. P.
Polhill, F.
Pollock, Sir F.
Powell, Col.
Praed, W. T.
Pringle, A.
Pusey, P.
Rashleigh, W.
Repton, G. W. J.
Richards, R.
Rose, rt. hon. Sir G.
Round, C. G.
Round, J.
Rous, hon. Capt.
Rushbrooke, Col.
Russell, C.
Russell, J. D. W.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Seymour, Lord
Seymour, Sir H. B.
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Sibthorp, Col.
Smith, A.
Smith, rt. hn. T. B. C.
Smyth, Sir H.
Smollett, A.
Stanley, Lord
Stanley, E.
Stanley, hon. W. O.
Stewart, J.
Stuart, W. V.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Talbot, C. R. M.
Taylor, T. E.
Tennent, J. E.
Thesiger, F.
Thornhill, G.
Tollemache, J.
Trench, Sir F. W.
Trevor, hon. G. R.
Trollope, Sir J.
Trotter, J.
Turnor, C.
Verner, Col.
Vernon, G. H.
Vesey, hon. T.
Vivian, J. E.
Walsh, Sir J. B.
Welby, G. E.
Wellesley, Lord C.
Wemyss, Capt.
Wilbraham, hn. R
Williams, T. P.
Wodehouse, E.
Wood, Col.
Wortley, hon. J.
Wortley, hon. J. S.
Wyndham, Col. C.
Yorke, hon. E. T.
Young, J.

TELLERS.
Fremantle, Sir T.
Baring, H.

List of the NOES.

Aglionby, H. A.
Aldam, W.
Barnard, E. G.
Barron, Sir H. W.
Bernal, Capt.
Blake, Sir V.
Bodkin, J. J.
Bowring, Dr.
Brocklehurst, J.
Brotherton, J.
Browne, hon. W.
Buller, C.
Carew, hon. R. S.
Cave, hon. R. O.
Cavendish, hn. C. C.
Chapman, B.
Cobden, R.
Colebrooke, Sir T. E.
Collett, J.
Corbally, M. E.
Craig, W. G.
Crawford, W. S.
Dashwood, G. H.
Dawson, hon. T. V.
Drax, J. S. W. S. E.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Dundas, D.
Dundas, hon. J. C.
Easthope, Sir J.
Ellis, W.
Elphinstone, H.
Esmonde, Sir T.
Etwall, R.
Evans, W.
Ewart, W.
Fitzroy, Lord C.
Forster, M.
Gibson, T. M.
Gisborne, T.
Gore, hon. R.
Granger, T. C.
Hall, Sir B.
Hastie, A.
Hatton, Capt. V.
Hawes, B.
Hay, Sir A. L.
Hayter, W. G.
Hindley, C.
Hollond, R.
Horsman, E.
Howard, P. H.
Hume, J.
Hutt, W.
Jervis, J.
Johnson, Gen.
Layard, Capt.
Leader, J. T.
Listowel, Earl of
Macaulay, rt. hn. T. B.
Maher, V.
Mangles, R. D.
Marsland, H.
Martin, J.
Mitcalfe, H.
Mitchell, T. A.
Murphy, F. S.
Napier, Sir C.
Norreys, Sir D. J.
O'Brien, J.
O'Connell, M. J.
O'Conor D.
O'Ferrall, R. M.
Pechell, Capt.
Philips, G. R.
Phillpotts, J.
Plumridge, Capt.
Protheroe, E.
Pulsford, R.
Redington, T. N.
Roche, Sir D.
Roebuck, J. A.
Ross, D. R.
Scholefield, J.
Sheil, rt. hon. R. L.
Smith, B.
Stansfield, W. R. C.
Strickland, Sir G.
Strutt, E.
Tancred, H. W.
Thornely, T.
Trelawney, J. S.
Turner, E.
Villiers, hon. C.
Vivian, hon. Capt.
Wall, C. B.
Watson, W. H.
Williams, W.
Wood, B.
Wood, G. W.
Worsley, Lord
Wyse, T.
Yorke, H. R.

TELLERS.
Clements, Visct.
O'Brien, W. S.

Pairs (Non official.)

AYES.	NOES.
Mackinnon, W. A.	Lord Mayor, The
Hervey, Lord A.	Christie, W. D.

Bill read a second time. On the question that the Bill be committed,

Mr. *W. S. O'Brien* moved as an amendment, that a select committee be appointed to inquire whether the condition of Ireland is such as to require statutory enactments relative to arms different from those which are in force in Great Britain, and if so, to what causes such necessity for different Legislature is to be attributed? The hon. Member read a letter from the rev. Mr. Darvren, Roman Catholic clergyman, confirming his statement previously published in the newspapers, respecting the dismissal of 200 families from Lord Hawarden's estate, and declaring his readiness to prove it by the evidence of credible witnesses.

Lord *Worsley* said, his noble relative had assured him that the statements which had appeared in the newspapers relative to this matter were not by any means correct.

Mr. *Shaw* thought it very unfair to renew the subject, after the detailed denial which had been given to the statement in question. He believed Lord Hawarden had given directions for legal proceedings for a libel to be taken against the rev. Gentleman.

Original question agreed to. Bill ordered to be committed.

House adjourned at two o'clock.

HOUSE OF LORDS,

Thursday, June 1, 1843.

MINUTES.] BILLS. *Public.*—1^{o}. Declaratory Suit; Letters Patent Law Amendment; Admission of Ministers to Benefices (Scotland).

Private.—1^{a}. Saltcoats Harbour.

2^{a}. Northampton and Peterborough Railway; Kentish Town Paving.

Reported. — Glasgow, Paisley, and Greenock Railway; Edinburgh and Glasgow Union Canal; Banbridge Roads; Scarborough Harborough.

3^{a}. and passed:—Clarence Railway; Thames Lastage and Ballastage; Haddenham Inclosure.

PETITIONS PRESENTED. From Kirkgate Chapel, and Cupar, for the Immediate and Total Repeal of the Corn and Provision Laws.—From Milford, and Belper, for Post-Office Reform.—By the Earl of Clancarty, from Clontuskert, Kilcoleman, and Ballinasloe, in favour of the Schools of the Church Education Society.—From the Mallow Union, Ballynamona, Kilshanick, and Rahan, against the Irish Poor-law.—From Wexford, in favour of the Wexford Harbour Bill.—From George Charles Allhusen, of Newcastle, for Inquiry into the present state of the Currency.—From Sligo, against the Repeal of the Union.

BREACH OF PRIVILEGE.] The Marquess of *Clanricarde*: I rise to call your Lordships' attention to a flagrant breach of your Lordships' privileges. I have never yet had any occasion to bring under the notice of this House any report of anything which has fallen from me here, but there has been so gross a misrepresentation made of what I said the other night in a paper of to-day, that I am compelled, in justice to myself and to the matter in question, to bring it before your Lordships' notice. With your Lordships' permission I will read to you a sentence from a leading article of the *Times* newspaper of this day, which says, in reference to me, that I,—

> "Admitting that the declaration of the Government was sufficient notice, had it been officially notified to all her Majesty's servants, yet proceeded to tell the House of Lords and the country, that as Lord Ffrench and his brother magistrates had only had intimation of this declaration through the newspapers, 'which,' says his Lordship, 'they were not likely to read,' therefore it was to be presumed that these poor innocents had been acting in well-intentioned ignorance, and had considered, forsooth! that their presence as magistrates at these meetings was calculated to preserve order!"

I think it is hardly possible to combine, in the same space of any speech, or of words in that speech, a greater mass of misrepresentation than is contained in the sentence I have read. Three facts are distinctly misrepresented. First, that I admitted that, under any circumstances, a declaration in Parliament could be a justification of an executive act of a Government: on the contrary, I declared, that founding an act of the executive Government upon a speech in Parliament was contrary to parliamentary and constitutional law, and, in this instance at least, contrary to common-sense. Next, I did not say, that it was not likely that Lord Ffrench would not read the newspapers; but I did say that it was absurd, as well as contrary to constitutional and parliamentary law, to expect magistrates to shape their conduct in accordance with speeches made in Parliament; and that this was especially the case with respect to Ireland because Irish newspapers were those generally in circulation there, and the Parliamentary reports in those papers were of course necessarily and naturally much more abridged than those in the English newspapers, and therefore it would be absurd to suppose that justices of the peace in remote districts would be aware of every speech made in Parliament. What I said was merely intended to be used as an *argumentum ad absurdum*. I did not mean to imply that Lord Ffrench was ignorant of the speeches in question. The third misrepresentation is, I am stated to have argued that those gentlemen attended these meetings because they "considered forsooth that their presence as magistrates at these meetings was calculated to preserve order." I said nothing of the kind. I said that if one were to go into the question of whether it were wise to dismiss magistrates for attending those meetings, that then the question would arise whether more mischief would ensue from the magistrates attending them, than from their staying away. I have thought it right to notice this matter, because the subject is of great importance, and whether the objections which have been raised to the conduct of the Government with respect to Ireland are or are not relevant and well founded, it is, at all events, most important that they should be fairly stated. I do not think it necessary to move that the writer of the passage, or the printer, should be called to the Bar of your Lordships' House, but I hope that the notice which I have thought it my duty to take of the matter will set me right with your Lordships and the country, and so I leave the matter in your hands.

Subject at an end.

LEGAL REFORM.] Lord *Brougham* laid upon the Table a bill for the purpose of remedying a defect in the law, the existence of which had been found very inconvenient. The bill proposed to introduce into the law of England, and the practice of the courts of law and equity, a proceeding long known in the Scotch law and practised in Scotch courts, and the want of which in English practice had long been a subject of great regret. It was what was called in Scotland a declaratory action, a proceeding by means of which a person in possession, and dreading that his title might be disturbed when evidence in support of it might not be forthcoming—or by means of which a person not in possession and wishing to ascertain his rights, although no suit was pending between the parties—had the means of obtaining a declaratory decree of a court, either of law or equity as the case might be, in order to set forth and conclusively to establish between himself and those deriving right from him on the one side, and the parties called as the defendants to the suit on the other—the right to the property or status as the case might be. The bill applied to suits of any kind.

Bill read a first time.

THE SPANISH AUXILIARY LEGION.] The Marquess of *Londonderry* had a question to put to his noble Friend, the Secretary for Foreign Affairs, on a subject that interested a great body of persons, and who had urged him to make an application to his noble Friend. A convention had been entered into between the Spanish and British Governments relative to the Spanish Auxiliary Legion, and according to that all the instalments due to that legion had been paid but one. In the correspondence which took place in May, 1840, it would be found that her Catholic Majesty's government had agreed that a compensation should be made to the legion on account of the delay that had occurred in the payment, and the terms of that compensation were to be determined by her Majesty's Government and that of her Catholic Majesty. Six months had now elapsed since the time that that compensation ought to have been paid. The questions he had to ask of his noble Friend were, whether there was a prospect of the compensation being paid, and also whether he intended to press the Spanish government for that payment?

The Earl of *Aberdeen* said, the state of the case was this. The instalments due to the British Auxiliary Legion had all been paid; but in consequence of the delay the Spanish government had agreed to make compensation. It was the proposal of the Spanish commissioners. It was said that, taking into consideration the delay, an extraordinary compensation should be made, the terms of which payment were to be settled in concert with her Majesty's government. As it was naturally to be expected, her Majesty's Government were anxious as to the amount of that compensation. The Spanish government made a proposal that the sum of 3 per cent. should be paid on the arrears up to a certain period, the 1st of June, 1840. Her British Majesty's Government thought that the officers and men of the Legion should have compensation at the rate of 5 per cent. per annum. Her Majesty's Ministers at Madrid was instructed to press for that amount of compensation, and the matter was now under discussion between the two Governments.

The Marquess of *Londonderry* observed that nothing could be more satisfactory than the answer of his noble Friend.

Subject at an end.

REPEAL OF THE UNION (IRELAND).] Lord *Lorton* presented a petition in support of the Union between England and Ireland from the town of Sligo, a place that had, he said, been visited by that intolerable faction who were now agitating with a view of dismembering the British empire. Those persons declared that the Union was to be repealed in the year 1843. Since this subject had been last before their Lordships, and which had been so satisfactorily observed upon by the noble Duke near him, although they had not yet heard what steps the Government was about to take, as necessary to put an end to the present state of things; but since that time there had been various meetings of that vast conspiracy, and amongst the rest there was the meeting at Mullingar, of which their Lordships had heard so much. At that meeting statements were made that he considered most valuable. That meeting was presided over by one in the highest authority; one who was infallible—a Roman Catholic bishop; and there was present, too, a large body of the lower clergy. Of course, the most violent speeches were delivered, and the most rev. divine who was there said, that all the bishops and clergy of the Church of Rome were determined to repeal the Union; and at the same time that this was said, and that they issued their orders, there were well paid tools in attendance to act according as they were desired, This certainly appeared alarming; but, for his part, he rejoiced at it; for, to use a vulgar expression, it was "letting the cat out of the bag." That which was most necessary was to know the situation of Ireland, and there the most extraordinary ignorance prevailed on the subject. It was most astonishing what an effect this had in Ireland, and he did not think that effect would be improved by the various opinions which had lately been uttered in that House. As to "conciliation" and "concession," and the effects they had produced, so much had been said by a noble and learned Lord, who he did not then see in his place, that he did not think it necessary to add one word of his own on these points. He hoped he might be pardoned, however, if, after having resided so long in Ireland, and being so well acquainted with it, if he ventured to suggest what he considered would be the best mode of restoring tranquillity, and of checking that Jesuit conspiracy which was spreading over the entire empire. He should say, without hesitation, that the most sure way of restoring tranquillity would be by calling out the yeomanry of the north nnd of some other places, distributed throughout the country. That, in a moral point of view, would have an extraordinary and favourable effect. He was convinced it would have a good effect upon the loyal and disloyal; and as to the government of the country, it must be well aware which of her Majesty's subjects were to be relied upon. He ventured to say that the moral effect throughout the country would be most extraordinary. It would not only do that, but he ventured to say that it would prevent an effusion of blood, and it would be the means of keeping all in their proper places. At the commencement of the rebellion in 1798, and during the whole of the progress of that sanguinary time, up to the battle of Vinegar Hill, there was not a single regiment of the line in Ireland. The force consisted of the Irish militia, with the English and Scotch. These with the loyal yeomanry, composed the whole of the military array. In Ireland very happily at this time there was a strong force, and the regular troops, and the troops were fully competent to preserve the peace; but if the loyal men were called forth, they would be found to be a body of men most useful, and that would save the regular troops from being harassed, in a way that it would be otherwise necessary to harass them. He considered it his duty to express his sentiments as he had been so long a resident in Ireland, and he should now conclude by reading the three last lines of the petition from Sligo. They ran thus:—

> "Your petitioners therefore pray, that you may take such steps as will maintan the legislative Union between the two kingdoms inviolable, and your petitioners, as in duty bound, will ever pray."

Petition laid on the Table.

NATIONAL EDUCATION (IRELAND.)] The Earl of *Clancarty*. My Lords, I have three petitions to present to your Lordships upon the subject of National Education from parishes in the West of Ireland. They are in substance all to the same effect, and directed against the system of Education at present in operation. The petitioners repeat many of the objections to the National Board, which have been so fully set forth in the numerous petitions at different times presented to this House, but especially during the last Session of Parliament. They feel aggrieved that the Parliamentary grant for promoting the education of the Irish poor is, nevertheless, still exclusively given in aid of schools, which under the National Board are conducted upon the principle, that instruction in the Bible is not a necessary part of Christian Education. They represent to your Lordships that there are 1372 schools in operation, under the immediate superintendence of the Prelates and Clergy of the Established Church, open to children of every religious denomination, and actually giving a sound, moral, religious, and literary education to 86,102 children, of whom 29,612 are Roman Catholics, and 8,365 are Protestant Dissenters, hereby realizing to a great extent, what the schools under the National Board have wholly failed of effecting, an united education of the lower order of the Irish people. And they complain, and with reason, that from these schools Parliamentary aid is withheld, solely because instruction in the Holy Scriptures is an essential part of the Education given in them. The prayer of these petitions which I beg most cordially to support is, that the countenance and support of Parliament may be no longer withheld as hitherto from these most valuable and excellent Institutions. As I trust that, after the Report of the Education Commission shall have been laid upon the Table of the House, there will be an opportunity for discussing fully the whole of this important subject, I shall only at present make one remark upon it in reference to what has just fallen from my noble Friend (Lord Lorton) upon the present excited state of Ireland, on the question of a Repeal of the Union. My Lords, I cannot but view it, and I felt it my duty, so far back as last December, to represent the case to the right hon. Gentleman at the head of her Majesty's Government, I cannot but view it as among the causes that have the most materially strengthened the hands of the agitators of that question, that by the regulations of the National Board, the education and training of the great mass of the Irish population has for many years been, and still continues, to the practical exclusion of the Clergy of the Established Church, the natural friends of British connection, entrusted to the Roman Catholic Clergy who are, as your Lordships' are now well aware, the active promoters of the Repeal movement. If it is objected that the Clergy of the Established Church do not take that part in the superintendence of the schools which the Government designed originally that they should take, I would beg to remind your Lordships that even if the Clergy were to lend themselves to a system to which it is well known that they are conscientiously opposed—and there is no one but must respect the motives of that opposition—the regulations which are drawn up for the Government of those schools must preclude them from exercising any wholesome influence in them, from taking in fact that part in the religious and moral instruction of the assembled children, which could alone render their presence in those schools of any real service. Let me further observe to your Lordships that the ministration of the Protestant Clergy being by the rules of the Board limited to those of their immediate congregations, while to the Roman Catholic priests is wholly confided the religious training of the remainder, an impression, not a little injurious to the Protestant Establishment in Ireland must be the consequence. It must naturally strike both the poor, whose children attend these schools, as well as the children themselves who here imbibe those early principles and feelings which stamp their character and disposition in after life, that, when the services of the Clergy are thus restricted to the members of their respective communions, they as Roman Catholics or Dissenters have no interest whatever in the Established Church—that it is to be maintained only for the advantage of a section of the population, instead of being designed, as I conceive it and every other of the fundamental institutions of the country to have been and to be for the advantage of the whole people. At any time and under any circumstances the violation of the principle of a National Church, here involved, is to be deprecated; but at the present time it obviously must give, and it has given much weight to the arguments of those, who point to the overthrow of the Established Church as one of the objects, and the chief one to be obtained by Repeal of the Union. My Lords, my noble Friend has alluded to the policy, so called, of "Conciliation," I concur with him in viewing it as the foundation of all the past mis-government of Ireland. The only sound principle of Government, and that which would most effectually conciliate the good will and respect of the Irish people and do away with the desire for a repeal of the Legislative Union, or any other fundamental change, would be to govern in the spirit of our Institutions, and upon the principles of the Constitution, and to administer the laws with firmness, vigour, and impartiality.

The Petitions from the Parishes of Ballinasloe, Clinterskerb, and Kilcoleman.

Laid upon the Table.

Law of Libel.] Lord *Campbell* said, he had been directed by the committee appointed to inquire into the law of defamation and libel to present its report, and the evidence taken before it. In moving that these papers be printed, he hoped their Lordships would allow him to state the course which the committee had adopted, and the conclusions at which they had arrived. The committee had devoted much time and labour to the subject; they had examined an ex-chancellor, two of the chief judges of the supreme courts in Westminster-hall, barristers, and solicitors; they had examined French lawyers and Scotch lawyers, police magistrates, booksellers, authors, the editors and conductors of some of the most respectable newspapers on both sides of politics, in London and the provinces, and he ought, in justice to them, to maintain that it was the unanimous opinion of all who had attended the committee,—that the editors and conductors of newspapers on both sides displayed the greatest zeal for the purity of the press,—and a readiness to concur in any measures for putting an end to the practice of encroaching upon the sanctity of domestic life, and of attacking private character. Upon the evidence the committee had come to the conclusion, that it was not expedient to interfere with public prosecutions for libel. They found in the law books various dicta and decisions which might be regarded as detrimental to the liberty of the press; but then they considered the mildness displayed by successive administrations on this subject; and that from the period that his learned Friend the Lord Chancellor had been Attorney-general, there had been no complaints of public prosecutions. His noble and learned Friend on the Woolsack had set a good example, and he was happy to say it had been followed. He himself claimed no peculiar merit on this ground; but he had been Attorney-General for above seven years, and he had only filed one criminal information. In that case he considered that the public peace required it. It was against Mr. Feargus O'Connor; and when he conducted the prosecution, he requested the jury to acquit the defendant, unless they believed that his direct object was to incite to insurrection and plunder. While this was the opinion of the committee with respect to public prosecutions, it appeared to them that there were a considerable number of practical evils in the law of libel that required instant remedy. As the law now stood, if defamatory words were spoken, however calumnious they might be, or however public the occasion on which they were spoken, unless they imputed an indictable offence, or imputed to a party that he was not competent to carry on his business, or that he had an infectious disease, they were not punishable; but if they imputed want of chastity in a lady of the highest character and rank, or if they stated that a man was without honour and courage, the law afforded no remedy whatever. The committee, then, had come to the conclusion that there should be a remedy for slander spoken, as well as in writing. The Scotch lawyers were astonished how the law in England on this matter had remained down to the middle of the nineteenth century. There was this distinction with respect to indictments and civil actions brought for libel, that when an action on the case was brought to recover a compensation in damages, the defendant may justify the truth of the facts alleged, and then the truth is an absolute bar to the plaintiff's obtaining a remedy; but upon an indictment for libel, the defendant cannot allege the truth of it by way of justification. Under this rule, cases of hardship sometimes arose. Errors may have been committed by a party, and may have been long atoned for and forgiven. It seemed a reproach to the administration of justice that in such cases a man's forgotten misconduct, or the misconduct of a relation, in which the public had no interest, should be wantonly raked up, and published to the world, on the ground of its being true. A great wrong here was committed, and no remedy was obtained. It appeared at the same time, that civil actions were often brought most vexatiously, and merely for the sake of the costs. It had been proposed, that the tender of an apology might be offered in evidence, by way of bar to the proceedings, and that the plaintiff, after the tender of an apology, should proceed on the risk of the jury thinking the apology so tendered sufficient. But the conclusion arrived at by the committee was, that the apology should not operate as a bar to the action, but should be given in evidence by way of mitigation of damages; and that the jury should look to the spirit of the apology, and consider whether it fairly made out ground for a mitigation, or did not operate as it might in some cases, as an aggravation, calling for more exemplary damages. With regard to the tender of amends, the conclusion of the committee was, that in every case evidence on this point ought to be admitted, and that if the plaintiff proceeded after such a tender had been made, he must do so at his own peril. It was stated in evidence by several respectable journalists, that, in spite of the greatest vigilance and caution, it sometimes happened that objectionable paragraphs were copied from other journals. Respectable people, when these paragraphs reflected on them, were in such cases satisfied with an ample apology. But there were base characters who, it was stated, sometimes sent these paragraphs themselves, and nothing would satisfy such persons but to urge on the trial with the view of getting costs. The committee, under these circumstances, had come to the conclusion, that when an involuntary error had been committed, and an offer was made to apologise, the defendant in that case should be at liberty to pay a sum of money into court; and if the defendant was not satisfied but went on, the verdict with costs should go for the defendant, unless the jury were of opinion that the sum offered was insufficient. Such an enactment would, as he believed, give much satisfaction to respectable journalists, and be attended with great public good in checking frivolous actions for libel. The committee were struck with the monstrous anomaly noticed by all the witnesses that in prosecutions for libel, the truth should be entirely excluded in justification, although the indictment charges the libel to be false, and that it should be frequently said, the greater the truth the greater the libel. This proceeded on the very false maxim, that the libel was only to be condemned, because it tended to a breach of the peace. The fact was, that the libel was to be condemned as a private injury to a private individual; that a wrong was done, and an injury inflicted upon a person who was entitled to protection; and the person who did that wrong ought to be punishable by law. Libel was a crime, as a theft was a crime, or as assaulting an individual was a crime, and the party libelled ought to have his remedy at law for the injury sustained. It appeared to the committee, and they had reported accordingly, that if there was nothing in the publication complained of, but what was true, and what the public ought to be made acquainted with, the defendant ought not to be precluded from bringing evidence to prove its truth, or that it was matter of useful intelligence. The recommendation of the committee, therefore, was that the proof of truth should in no case be excluded, but that it should not be an absolute bar in criminal, any more than in civil proceedings. This would leave the jury, under the direction of the judge, the power of deciding (the plea of truth being proved) whether there was or was not proper occasion to publish it; and if the jury felt that the object of the party publishing was a malicious one—was that of raking up what ought to be forgotten, and of making notorious personal infirmities in which the public had no interest—of attacking the feelings of a family by publishing what may be true, but ought to be forgotten, concerning any member of it—if this were the opinion of the jury, they would find the defendant guilty, and he would be punished accordingly. The next subject was the classification of libels. Great complaint had been made, that all libels, however varying in criminality, were in point of law considered the same offence, and liable to the same punishment. The committee proposed to divide them into three classes. The first and most aggravated was a class of offences so heinous and atrocious that, morally speaking transportation itself would be no inadequate punishment for them: he meant where an attempt was made to extort money by the threat of libelling an individual or a member of his family, and the libel was published because the money was not paid. The proposal of the committee was, that the party convicted of this offence should be subject to fine, and imprisonment for three years, accompanied with hard labour. The next class was where the libel published was false, and the libeller knew t to be false. This was also a most aggravated offence, though divested of one of the worst features of the offence he had before described. They proposed that for this the punishment should be fine and imprisonment for two years. The third class was, that in which it was not proved that the defendant knew the libel to be false, though it was published with an intention to injure, and maliciously. It was proposed, that the punishment for this should be fine and one year's imprisonment. The committee wished to establish a fourth class, the punishment for which should be fine without imprisonment; but they had not been able to define this fourth class, so as not to exclude those offences which the committee thought ought, at the discretion of the court, to be punished with imprisonment as well as fine. The next subject which the committee had considered was the publication of the proceedings of courts of justice, and of the two Houses of Parliament. With regard, first, to the publication of the proceedings of courts of justice, it had been held by several decisions, that when the report of those proceedings was fair and *bonâ fide* no action could lie for the publication. A different doctrine, however, had sometimes prevailed, and it had been questioned whether such a publication was legal. That doubt ought to be set at rest. With regard to publishing the proceedings of the two Houses of Parliament, it had been found expedient, that they should be made known to all the world. Accordingly the publication was now permitted with the sanction of both Houses of Parliament. Was it then fair, that the proprietors of newspapers should be subject to have actions brought against them for publishing what appeared to be a fair report of the proceedings of Parliament? The committee were unanimously of opinion that it was unfair, and that it ought to be declared that the conductors of all publications should not be liable to prosecution for publishing fair accounts of the proceedings of the Houses of Parliament at any time when strangers were allowed to be present. It was at all times competent for the Members of either House to move that strangers be excluded when the proceedings could not be reported, without a breach of privilege. Then with regard to the publication of *exparte* police reports, about which doubts had been expressed, the committee had concluded, after an examination of some police magistrates, that as it was known, that these proceedings were *exparte*, and did not necessarily injure private character, it was of public advantage that these proceedings should be published. The publication was an auxiliary to the police, and it led to the discovery and detection of criminals. He wished it, however, to be distinctly understood, that the committee excepted those extraordinary proceedings which were wholly *exparte* and wholly unwarranted, which took place when persons went before magistrates to ask what they called advice, and which proceedings ought not to take place, because they were cases in which the magistrates had no jurisdiction. Under the pretence of asking advice, very often statements were made of a most libellous character, and were often made only for the purpose of extorting money. The magistrates, he repeated, in such cases had no jurisdiction, and could confer no privilege and no immunity. There was another subject, which came before the committee —namely, the proof which ought to be given, in order to establish the responsibility of a party when the publication was made by his agent. It had been held, and this was considered a harsh decision, that the purchase of a copy of a book or newspaper at the shop or office of the defendant, was not only *prima facie,* but conclusive evidence of the publication and of the responsibility. The defendant was not allowed to prove by evidence, that he knew nothing of the contents of the publication, and could not by possibility be aware of it; and that the libel had been printed or sold against his express orders. The committee proposed, that after a *prima facie* case had been made out, it should be competent for a defendant to prove, that the publication was without his orders, or contrary to his orders, and, that under the circumstances, it was impossible for him to have directed or sanctioned it. Another point to which the attention of the committee had been directed, was the grievance which arose in many cases where a party, instead of bringing a civil action proceeded by a criminal prosecution; if he brought a civil action he was liable to costs, and the party against whom he proceeded improperly, was indemnified by those costs, but if he proceeded by indictment or criminal information, the party who was unjustly prosecuted was saddled with heavy costs, and had no remedy whatever. The committee proposed, that in all prosecutions by indictment or criminal information for private libel, if there should be a verdict for the defendant he should be entitled to recover costs, to be taxed by the proper officer of the court. There was another subject to which the committee had directed their attention — namely, the course to be adopted when there was a series of trials upon the same indictment arising out of the same transaction. Should persons be permitted to publish any part of the proceedings until the whole of the proceedings were concluded? Judges had sometimes intimated and made an order that no part of such proceedings should be published until the whole proceedings were concluded; but of late years that mode had been departed from, and there was a general opinion that such orders were ineffectual. They could not be enforced. There would still be partial and surreptitious reports. The report of the committee adopted this opinion, and thought the publication should take place. In the case of Courvoisier, the publication of his trial during its progress had materially facilitated the conviction of that offender. The publication, then, of the proceedings during a trial was very advantageous; it was tantamount to enlarging the court and admitting all the public to witness its proceedings. It was proposed to render it lawful, while a trial was going on, to publish from time to time an account of the proceedings. It must always, however, be remembered that such a flagitious offence as publishing partial and improper reports, would render the parties making those partial reports liable to a criminal information. There was only one other subject he would mention before he concluded. He alluded to the conduct of those disreputable papers, some of which were published in the metropolis, though he would not name them. This subject had been considered by the committee, though they had not required the parties to come before them, as that would have been asking them to criminate themselves. But there were various publications, no one doubted, which were conducted on the principle of living by slander. He way sorry to say they laid their account with making money by taking away character and circulating the foulest libels. They set at defiance the parties they injured, and the way they did it was this—they entered the name of a mere man of straw as the responsible party at the Stamp-office, who had no property in the paper. If an action were brought and damages recovered there was no advantage gained. The party responsible had not a shilling on which to levy the damages awarded. If the party did not abscond he went to gaol, and the party who was injured had the poor satisfaction of keeping the scape-goat in prison. It was suggested as an effectual remedy for this enormous evil — by the manager of one of the respectable daily journals of the metropolis—that the security now given to the Stamp-office, to answer for the payment of the stamp duties, should extend to pay for all damages which a verdict of a court might give against any paper. No newspaper but must now give such security before it could be established, and it was suggested, that when the security should be made answerable for damages, and part of it appropriated to pay those awarded by a court of law, that the security should still be kept up to its full amount. He had reason to believe that no respectable journal would make any objection to that suggestion. A journal was generally established either by a gentleman having capital of his own, and who could find no difficulty and could make no objection to give the required security; or if the newspaper were to be started by any respectable gentleman, who was not himself in possession of capital, but who had habits and abilities to conduct such a publication, he would have no difficulty in finding the required security. He conceived, then, that nobody would complain of such an enactment as repressing in the smallest degree free discussion, or as having any tendency to give a monopoly to any description of persons, or as preventing any person in the country, who might be desirous of it, from establishing journals to expound their opinions to their political admirers. It would be no hardship, and it would have the most beneficial effect of crushing those injurious publications, and putting an end to the infamous system to which he had alluded. The report which he should have the honour to present contained propositions to the effect he had stated. He hoped when their Lordships should have perused it that they would approve of it. He hoped, too, that the public would think that they were served by the efforts of the committee; at all events, they might have the satisfaction of knowing that the investigation had caused no public expense, for of all the witnesses the committee had examined only one claimed remuneration. The committee thought he ought not to be remunerated, as he was living in London, had volunteered his evidence and was detained only half an hour under examination, and his evidence certainly was not the most valuable they had received. He proposed, after the report had been in their Lordships' hands, to frame a bill which he should have the honour to present to the House. Of course not only all of their Lordships who had not been on the committee, but also all the members of the committee, would be entirely at liberty to express any opinion they might think fit upon any portion of the bill. The report he should have the honour to present had not been dissented from by a single member of the committee; but the members of the committee were by no means pledged when they saw the provisions embodied in a bill not to object to any of which they disapproved. But he trusted that the subject, having been so thoroughly sifted and investigated by a committee so numerous, so intelligent, and so laborious, who had agreed, without dissent, to the propositions of the report—he trusted the bill which was to be founded upon it would receive their Lordships' approbation, and having become the law of the land, would be found of great benefit to the public. The noble and learned Lord then laid upon the Table the report of the committee.

Their Lordships on the motion of the Duke of Wellington adjourned till Friday the 9th inst.

Report laid on the Table and ordered to be printed.

HOUSE OF COMMONS,

Friday, June 2, 1843.

MINUTES.] BILLS. *Public.*—1°. Commons Inclosure.
2°. Assessed Taxes; Canada, etc. Wheat Importation.
Reported.—Church Endowment; Admiralty Lands; Copyhold and Customary Tenure.
Private.—1°. Drumpeller Railway.
Reported.—Paisley Municipal Affairs; Bolton Water Works; Beaumont Reservoir; Hull Water Works; Kendall's Divorce; Great Bromley Inclosure; Glasgow Police; Leighton Bussard Inclosure.
3°. and passed:—Chalgrove Inclosure; Ballochney Railway.

PETITIONS PRESENTED. By Lord John Russell, Mr. Cobden, and Sir John Easthope, from Leicester and other places, for the Total and Immediate Repeal of all Corn and Provision Laws.—By Messrs. Drax, B. Wood. Aglionby, F. Baring, Ward, G. Berkeley, Scholefield, J. H. Langston, Hayter, Cobden, Ricardo, Hindley, Labouchere, T. Duncombe, Ewart, C. Villiers, and P. Howard, Dr. Bowring, Lords J. Russell, and H. Vane, Sirs J. Easthope, R. Philipps, and G. Staunton, from a great number of places, against, and by Lord Dungannon, Lord Clive, and Sir R. H. Inglis, from nine places in favour of, the Factories Bill.—By Messrs. Bankes, Drax, Miles, and Stuart Wortley, from the county of Norfolk, and eleven other places, against the Canada Corn Bill.—By Mr. T. Duncombe, from Sheffield, against the Irish Arms Bill; and from other places, for the Release of Cooper and other Chartists.—By Captain Pechell, from Brighton, to the same effect.—From Cambridge, and the Isle of Ely, against the Bankruptcy Act.—From Kingston-upon-Hull, and other places, against the County Courts Bill.—From Chamber of Commerce at Kingston-upon-Hull, Birmingham, Liverpool, and other places, in favour of Rowland Hill's Plan of Post-office Improvement.—From Kendal, for Abolishing the Duty on Wool.—From Manchester, in favour of Scientific Societies Bill.—From Susanna Bearcroft and others, against Imprisonment for Debt.—From Charles Rolley, against the Law of Primogeniture.—By Mr. S. Crawford, from Kilkenny, Trim, Doneraile, and Ballynamora, against the Irish Poor-laws.—From Linlithgow, for the better payment of Schoolmasters in Scotland.

REGISTRATION (IRELAND).] Mr. *Sheil* begged to ask the right hon. Baronet the Secretary for the Home Department whether it is the intention of the Government to bring in an Irish registration bill this Session, and, if so, at what period?

Sir *J. Graham*: The Government continues to be of the opinion which it has frequently and decidedly expressed, that an alteration in the registration of voters in Ireland is necessary. We have directed our attention to the subject, and the consideration which we have given to it has convinced us that any amended system of registration in Ireland could not fail to effect a considerable diminution of the county constituency in that part of the United Kingdom. It is not the wish of the Government, that either directly or indirectly, any such effect should be produced. We have found it necessary, therefore, not only to direct our attention to an amended system of registration in Ireland—a task which would be comparatively easy, inasmuch as the measure would be founded on the model of the amended system for England, which has already rceived the sanction of both Houses of Parliament, and is now the law of the land—but, entertaining the views we do with respect to the county constituency, it would be necessary to combine with that measure some compensation for the diminution of the county constituency which the amended system of registration would cause. With a view to provide a compensation of this nature, the Government directed their attention to the system of rating under the Poor-law—a system founded on valuation. We believed that that system of valuation was sound, and might be made the foundation of a measure: but the right hon. Gentleman and the House must be aware, from a bill which has been read a first and second time, and now stands for committal, that the system of valuation in Ireland has been proved by experience to be defective. So far from one general principle of valuation having been adopted, as it was hoped would be the case when the Irish Poor-law Act was passed, we find that the valuation has varied in different localities to the extent of 25 per cent., according to the caprice and will of different boards of guardians. An important clause has been introduced into the Irish Poor-law Amendment Act on the subject of valuation. The clause contains a provision, that the valuation shall be under the control of the central authority, and that it shall be taken under a general scheme, applicable to all Ireland. My answer to the question put by the right hon. Gentleman, then, is this, that the Government adhere to their intention of providing an amended system of registration for Ireland; but, at the same time, they wish to make compensation for the diminution of the county constituency which would be caused by such a measure; and, therefore, before they introduce a bill on the subject they are anxious to have the opinion of the House upon the clause respecting valuation in the Poor-law Amendment Bill to which I have referred. I can assure the House, that Government has not lost sight of this subject; indeed, a bill on the subject has been prepared and is almost ready for introduction, subject to the decision of the House on the clause in the Irish Poor-law Amendment Bill.

Mr. *Sheil*: The right hon. Baronet has omitted to answer one part of my question; I wish to know what the right hon. Baronet's opinion is as to the probability or certainty of his being able to introduce the bill during the present Session.

Sir *J. Graham*: It is indispensably necessary that the clause in the Poor-law Amendment Bill should be discussed and decided on by the House before I can finally determine on the introduction of the bill.

Appointment offered to Mr. O'Connell—Ireland.] Sir *R. Peel* moved that the House on its rising should adjourn to Thursday next.

Lord *J. Russell*: I will take this opportunity of giving an explanation respecting a statement which I have seen in the newspapers, purporting to be an account of something which passed in this House, and I will then proceed to offer a few observations on the present state of affairs in Ireland. It appears to have been several times stated that the late Government offered the office of Chief Baron to Mr. O'Connell. The fact is, that the late Government offered that Gentleman only the office of Master of the Rolls, which Sir Michael O'Loghlen was about to vacate for that of Chief Baron. I am not now going to enter into the reasons which induced the Government to make that offer; but if any animadversions should be made upon it, I shall at all times be ready to defend it. I will now touch upon the other subject to which I have already adverted, namely, what appears to me to be the extraordinary state of affairs with respect to the Government and this House relative to Ireland. We are told every day of new regiments going over to Ireland—of large reinforcements of troops being sent there. We are told of military preparations being made at Dublin Castle; and this day it is stated, in an article from an Irish paper, that Admiral Bowles had repaired to the Irish coast, and was to have war steamers under his command. The Government must be aware that the steps they have taken, particularly by dismissing from the magistracy a great number of persons who have the confidence of the people of Ireland, must produce an injurious effect in various ways. In the first place, these proceedings were calculated to create considerable alarm; and in the next place, they must add to the repeal agitation, which it is the object of Parliament and the Government to discourage. Then, again, it is necessary to consider how these proceedings bear upon the votes which we have given during the present Session in a committee of supply. Many Members, and I among them, voted for the estimates proposed by the Government, being of opinion that, as hostilities had so recently ceased in China and other quarters, it would not be reasonable to press for further reductions, but still hoping that the Government themselves would, from time to time, prudently and cautiously make such retrenchments as the public service would admit of, so as, in some measure, to repair the deficiency in the revenue, which is so much lamented. I, on one occasion, took the liberty of expressing myself to that effect in the House, and I understood, from the cheers of the right hon. Baronet at the head of the Government, that he concurred in the view I took on that point; but it must be obvious that if we are to keep up a large force for the purpose of maintaining peace in Ireland, no such object as that I have referred to can be carried into effect. I say, therefore, that on the ground of the impolicy of creating alarm; on the ground of the impolicy of increasing excitement, which it is desirable, rather, by every means, to discourage and diminish; and on the ground of the impolicy of keeping up large military and naval establishments, which it is important to reduce as quickly as possible—on all these grounds the measures which have been lately taken by the Government require some explanation, in order to induce the House to sanction them. As I have already intimated, I say we are not justified in now pressing the Government for any statement of circumstances within their knowledge which may have made the adoption of those measures necessary; but I must declare that I have heard of nothing myself—and I have spoken with persons who have lately come from Ireland, and who are best informed as to the state of that country—which seems to my mind to justify those measures. I trust, therefore, that the Ministers of the Crown, who have been entrusted with the disposal of large forces, who are entrusted likewise with the power of dismissing magistrates—from the responsibility of which I hope the right hon. Baronet the Secretary for the Home Office does not mean to shrink, and to throw it upon the Lord Chancellor for Ireland—will make some statement to the House in justification of the policy which they have pursued. If they should not think proper to do so, I think it may be necessary to ask for the opinion of the House with respect to the policy they have pursued towards Ireland. I am not prepared to give notice of any motion on the subject at present, but I find that the Government intend to propose no measures with regard to Ireland, except the Arms Bill and the Registration Bill—of which, by the by, the prospect is very distant—I shall, in no very long time after the recess, move an Address to the Crown, expressing the opinion of the House with respect to the policy pursued towards Ireland by the Government.

Sir *R. Peel:* I am disposed to consider the observations which have fallen from the noble Lord rather as a notice of his future intentions, than as intended to provoke a debate on the present occasion on the matters to which he has referred. I am sure the House will feel that, after a continued debate of three nights on a measure immediately connected with the peace of Ireland, which led to discussion on several matters connected with the Government and present condition of that country, it would not be consistent with the convenience of the House now to enter on a fresh debate upon the same subject. The noble Lord and the House must feel, that it is the first duty of the Government to provide for the maintenance of the public tranquillity. The noble Lord also must know, that nothing can be more unwise than to place reliance on every rumour collected from the newspapers. I must guard the House against supposing that these reports, in every case, rest upon a solid foundation, or that they are not in many instances erroneous. I will not now say a word with respect to the dismissal of the magistrates; I think it would be very inconvenient to anticipate discussion on that subject. I cannot, however, help reminding the noble Lord, that when the Government with which he was connected was in power, they attached so much importance to demonstrating their intention to maintain the legislative union, that the Lord-lieutenant appointed by them, and having their full confidence, felt it his duty to make a public notification of a very peculiar and unusual character. Lord Fortescue distinctly notified that no favour on the part of the Crown should be conferred on those who encouraged meetings, or otherwise took part in the repeal movement. Upon that occasion Lord Fortescue distinctly notified that every person who took an active part in favour of repeal should incur the penalty of civil disability, because it would be impossible for any such person to obtain an appointment under the Crown. The noble Lord must bear in mind that the Repeal of the Union has been considered by all Governments as a question of a very peculiar character, and although it, doubtless, is competent to any Member to propose the Repeal of the Union in this House, yet the conduct of the late Government shows that the active supporters of that question ought to be looked upon with disapprobation. Whenever the noble Lord shall feel disposed to bring the subject of our policy towards Ireland under the consideration of the House, I trust that the Government will be able to vindicate the course which it has pursued.

Mr. *Hume* expressed his surprise at the statement of the noble Lord the Member for London, that the late Government had not made Mr. O'Connell an offer of the office of Chief Baron. He heard Mr. O'Connell state publicly in that House, without contradiction, that the offer of that office had been made to him, and he had repeated the same thing in private. The state of affairs in Ireland was such, that Parliament ought not to lose one hour in extracting from Government an explanation of their reasons for making such formidable preparations as were now being carried on. If the Government were about to revert to the old practice in Ireland, and govern that country by coercion, they would fail to establish tranquillity there. The right hon. Baronet said that the House had been occupied during three nights in discussing the state of Ireland and the policy of the Government; but that was not the fact. The right hon. Baronet himself, when he addressed the House, said that he would confine himself strictly to the one—subject immediately under discussion the Arms' Bill. It appeared to him an act of madness on the part of the Government to take their present course. When a different system was pursued, Ireland was so tranquil that one half of the military usually maintained there was removed. The military force in Ireland in 1793 was 8,500 men; on the occasion to which he referred the force was reduced to within a thousand of that number, and he recollected Mr. O'Connell stating that, if necessary, two or three more regiments might immediately be withdrawn from Ireland. What had produced the extraordinary change now apparent? The people had not changed; it was the conduct of the Government towards the people that had changed. He begged the right hon. Baronet, before he drove the country to civil war, into which he was fast precipitating it, to consider the situation, not only of Ireland, but of England. We were in a state of absolute bankruptcy; notwithstanding the Income-tax, the revenue was two millions and a half below the ordinary expenditure. Instead of reduction, under these circumstances, which he honestly declared he expected from the right hon. Baronet, he was concentrating a large naval and military force in Ireland. The Government were taking the most unconstitutional measures to create a rebellion in that country. They did not intend it certainly; but there was no rational man out of the House who would not say that they were adding to the excitement by the course which they were pursuing. He would tell the right hon. Baronet what he ought to do. He should discountenance the strong party feeling that existed in that country, both on the system of national education and on all other subjects. The right hon. Baronet told them he supported the system of education in Ireland, but every man appointed by the right hon. Baronet's Government to a high dignity in the Church, and every law officer of the Crown, were men who had done everything in their power to oppose that system. So long as the lord lieutenancy was kept up, so long would it be a focus for faction. The lord lieutenancy ought to have been done away with long ago. Ireland ought to be incorporated with England, as Scotland was. As Member for Kilkenny, he (Mr. Hume) had spoken against repeal, and had omitted no opportunity of declaring his belief that the repeal of the Union would be injurious alike to England and to Ireland. On the motion of Lord Althorp, the House of Commons pledged itself to maintain the legislative Union, but pledged itself at the same time to redress the grievances of Ireland. Had that been done? Twenty-four years ago, he (Mr. Hume) had denounced the overgrown Church establishment of Ireland. Since then the country had been robbed of one-fourth of the tithes. He said "robbed," for he considered the tithes public property, and thought they ought not to have been given to the landlords; but the Church was still monstrously disproportioned, and he believed that was the honest opinion of every Member of the House, on whichever side he might sit. Let the causes of grievance be removed, and the Government need be under no apprehension as to the violence of the repealers. For his own part, he should hold Government responsible if any of the serious consequences should occur which they seemed to apprehend, and which they were doing all in their power to bring about. The population of Ireland had long continued patient, but justice had not been done to them; and before the Government had recourse to measures of severity, they ought to have assured themselves that the pledges of Parliament had been redeemed.

Sir *R. Peel* hoped the House would allow him to correct a mistake into which the hon. Gentleman seemed to have fallen on rather an important point. The hon. Gentleman admitted that the Government had declared their intention to support the system of national education, but he said that the Government had counteracted that declaration by selecting for every appointment in the Church and the law persons hostile to that system. He would state the facts with respect to the law officers of the Crown. The two principal law officers of the Crown were the Attorney-general and the Solicitor-general. Now, it was of great importance that the Attorney-general for Ireland should have a seat in that House. The high academical character of the Attorney-general entitled him to become a candidate for the university of which he was a member: It was then intimated to him that if he would not oppose the system of national education he had no chance of success. The right hon. and learned Gentleman communicated the substance of this intimation to him, but said at the same time that he should feel much averse to giving such a pledge. He expressed his approbation at the hon. and learned Gentleman's unwillingness to pledge himself in the manner required of him; he refused to give the pledge, and was appointed Attorney-general. As to the Solicitor-general for Irelend, he was one of those appointed by the late Government to act as commissioners for conducting the system of national education. He must caution the House against allowing itself to be misled by erroneous statements with respect to the intention of the Government.

Mr. *M. O'Ferrall* entreated the right hon. Gentlemen opposite to avail themselves of the approaching holidays, and to prepare a statement of what their intentions were. There was a large part of the people of Ireland, who, while they fully agreed with others of their countrymen, that there were many and serious grievances, yet did not concur with them as to the remedy to be applied. What he wished her Majesty's Government to do, was to put those who were opposed to repeal in a position to say to the people of Ireland, that the Government was ready to do everything it could do, to redress all just subjects of grievance. There was one subject that had been much misunderstood. He alluded to what had been called fixity of tenure. For the tenant to wish to possess himself of all the rights of a proprietor, was too absurd a thing to be even discussed; but it was not less certain that there was much in the existing law between landlord and tenant that required alteration. At the last meeting which he had attended of the commissioners for inquiring into the state of the poor in Ireland, he believed it was in 1835—he had proposed to his brother commissioners to extend their inquiries to the laws for regulating the relations between landlord and tenant, for he was satisfied, that much misery and crime might be traced to those laws. He believed it was an unfortunate circumstance that that inquiry had not been proceeded with. It was a question fraught with the greatest danger to the peace of the country, and if it was not attended to, the consequence would be, that the attention of a large part of the population would be so much fastened on the absurdity to which he had alluded, that it would afterwards be difficult to dispose them to accept of a more reasonable arrangement. The fate of Ireland depended very much on the conduct of Government, and he very much regretted the course which they seemed at present disposed to pursue. He thought, after all these large meetings had been allowed to proceed to such an extent without any intimation that the Government intended to take any steps openly to discourage them, and after the public mind had been suffered to be excited by the speeches delivered at those meetings, it was most unwise to come forward and dismiss magistrates who had attended those meetings. It was only making those gentlemen more popular by making martyrs of them, whereas if a previous notice had been given them of the intentions of Government, they would probably have remained away from those meetings, or would have attended them only as spectators. He would entreat her Majesty's Government seriously to consider what he had said.

Mr. *Shaw* merely rose to set himself right with respect to one or two facts that had been erroneously stated. He was present when Lord Fortescue made his declaration on the subject of repeal, and Lord Fortescue not only stated that he would discourage the agitation of that question, but said he would carry his opposition to the utmost extent to which Government could go, and would withhold every kind of patronage and favour from every person who, in any way, lent any encouragement to that movement. With respect to the system of national education, hon. Gentlemen opposite were constantly charging the Government with appointing bishops, whose opinions on that subject were at variance with those which Government acted on. Now, there was a very simple reason for this. He would not say, whether the Irish clergy were right or wrong in the view they took, but he did not believe that her Majesty's Government could have found any person competent in every other respect to fill the office of a bishop who was not opposed to that system of education. With respect to his (Mr. Shaw's) right hon. Friend the Attorney-general, he (Mr. Shaw) had never before heard that it had been proposed to his right hon. Friend to give a pledge against the present system of education, but he felt quite persuaded that the proper feeling and independence of his right hon. Friend could not have allowed him to take any other course than the one he had taken. If the constituency had asked him (Mr. Shaw) to give such a pledge, he would certainly have refused it. At the same time, he was quite surprised to hear that his right hon. Friend was favourable to the system of national education, he had always thought quite the reverse.

Mr. *T. B. C. Smith* said, as his name had been introduced into the discussion, he trusted the House would allow him to make a few observations. The first intimation which he received with regard to the representation of the University of Dublin was before he was a law officer of the Crown, and before any person was aware that he was to receive any appointment from the Government; and it was conveyed in a letter from a private Gentleman connected with the university, who stated that there was a strong feeling in his favour, and a desire that he should be put in nomination; and required to know from him whether or not he would permit himself to be put forward, but there was not one syllable in it relating to his opinions on any one subject. Perhaps that was occasioned by the fact that his general political views were known from former occasions. As he thought it possible that there might be some misconstruction, and he had made it a rule never to attempt to gain an advantage for himself by practising deception on any man, he wrote in reply to his friend in the university, saying, lest the gentlemen there might be under a misapprehension as to his views, that he would not wish to be put forward if he should be expected to oppose the grant to Maynooth or the grant for the purpose of national education. That declaration was voluntary on his part. He made it because he thought it would not be right that there should be a requisition to him under a misapprehension. In the course of the following month he was appointed to the office of Solicitor-general, without the slightest application having been made on his behalf. Under these circumstances he acted fairly and openly, and stated that if he should be returned he should in all probability support the grants for national education and the College of Maynooth. The requisition was proceeded with, and he had, as he believed, a majority of the electors within the walls of the university; the out-voters, consisting principally of the clergy, were against him; but he believed that if he had pledged himself to oppose the system of national education and the grant to Maynooth College he might have contested the representation. Having been educated within the walls of the university, there was a feeling in his favour amongst many of the electors, and the clergy would have been satisfied if he would have promised to support a grant to the Church Education Society, but he was determined not to be pledged in any way, and upon those grounds declared to offer himself as a candidate for the honour of representing the University.

Mr. *Cardwell* thought it would have been more expedient had there been no magistrates dismissed. He thought, the large class of persons in Ireland whose lives and property were placed in jeopardy, would consider that the notice taken in this House of the proceedings in that country was not likely to stop, or pacify the agitation, and that it was, on the contrary, very likely to excite in the minds of large classes there, and their leaders a strong impression that they had the sympathy of a large party in this House with them. At this particular moment it was most undesirable that such an impression should go abroad. If this were his own opinion merely, he should not trouble the House with it—but he stated it because it was the opinion of a great number of persons in this House and country. He must say, then, that if the noble Lord was prepared to pass a vote of censure on the Government, he should do so at once—or if not prepared with an immediate vote of censure, he should have delayed his observations till the subject was better understood.

Mr. *M. J. O'Connell* felt persuaded, that when any body of men were deprived of their civil privileges, for doing what was perfectly legal in itself, such injustice would always awaken a feeling of sympathy in that House. He believed, that all parties in Ireland felt satisfied, that when their country was treated with injustice, they would be sure to meet with the sympathy of the people of England.

Sir *H. W. Barron* rose amid cries of "oh, oh," "question, question." He should not allow himself, he said, to be deterred by any cries of "oh, oh," or "question, question," from doing what he believed to be his duty, and he could tell them that the Irish people would resent their insolence, and would deeply feel the insult offered to one of their representatives and themselves. He knew that the appointments made by the Government, had given an impulse to clerical agitation, and that opposition to the education system was looked on as a stepping-stone to a mitre. The Bishop of Cashel had always been the bitterest opponent of that system, and since his appointment, he had attended a meeting held in the city of Dublin, for the purpose of opposing the system. Was that the way in which patronage ought to be distributed? The natural consequence was, that the people of Ireland looked upon the Government as insincere in their professions of support to the system of national education. Ministers had sent over troops to Ireland, and dismissed magistrates. Every act of this kind they had done, had increased the repeal rent threefold, fourfold, and sixfold, and driven into the ranks of the repealers men of wealth and station, distinguished for their integrity and their love of peace, who had never before joined any political movement. He could declare with certainty, from his knowledge of Ireland, and of the opinions of many men of calmness and impartiality, who were well able to judge of the political circumstances of the country, that there was not the slightest chance of any outbreak of violence occurring, except it were provoked by the tyranny and perverse proceedings of Government themselves. He believed, that both the leaders of the people and the Roman Catholic clergy to a man would oppose themselves, in the most determined and most energetic manner, to everything like violence or revolt. All the armaments that were in preparation, therefore, and all this great display of military and naval force, were merely laughed at in that country, or regarded as an insult to the people, and an attempt to overawe their opinions. Ministers, however, would fail in this, as they had failed in previous attempts to repress the free spirit of public opinion in Ireland, by misplaced measures of harshness and coercion.

Captain *Bernal* wished to make one observation on what had fallen from the right hon. Gentleman, the Recorder of Dublin, as to there being none of the Irish clergy fit to be elevated to the episcopal bench, who were favourable to the Irish national system of education. He might mention, as distinguished examples to the contrary, the lately appointed Dean of Ossory, Dr. Bellew, and the Provost of Trinity College, who were both favourable to that plan. He would only add, that he implored the hon. Member for Ipswich, who had placed a notice on the books for some day after Whitsuntide, of a motion to repeal the Emancipation Act, to reflect whether at the present moment such a notice remaining on the books, would have any other effect than that of inflaming the unhappy disturbances now so widely spread in Ireland. He would implore the hon. Member, in the name of common sense, in the name of the majority of the Members of that House, to withdraw his notice.

Mr. *Lane Fox*: As the hon. Member has appealed to me, I beg to say I mean to bring forward the motion of which I have given notice; and I never should have given notice of such a motion, unless on that occasion I was prepared to prove that it is Popery, and nothing but Popery, which leads to the disorders now prevailing in Ireland.

Motion for the adjournment agreed to.

BUENOS AYRES AND MONTE VIDEO.] Mr. *Ewart* understood that the British ambassador had demanded of General Rosas, the Buenos Ayrean commander, that he should withdraw from the territory of Monte Video. That officer did not comply with the request; he marched onward and continued to lay waste the territories of Monte Video. The British merchants conceived that their ambassador, in not having proceeded further, although there was an ample force on the coast, had not acted up to the notice he had given, and they presented a remonstrance to the ambassador to that effect. He wished to ask whether steps would be taken to relieve the apprehensions felt by the British merchants, and give effect to the demand made on General Rosas by the British ambassador.

Sir *R. Peel* said he had already stated to the House that every possible representation and remonstrance of the most urgent character had been made to the belligerent parties, to induce them to come to terms of peace. The representative of the English Government, and the representative of the French government acted together in the most cordial spirit of co-operation, and the united authority of those two countries was brought to bear, in every way in which it could be brought to bear, by measures of remonstrance against the continuance of such hostilities. Every protection which it had been possible to give, either to the French or British subjects had, he believed, been given, and would be continued; but if the hon. Gentleman asked him whether we should take a part in this war, he was not prepared to give any assurance that we should do so. On the contrary, he was prepared to say that the Government, deprecating those hostilities, and convinced that their only effect was to retard the growing prosperity of both countries, determined as they were to use all the influence they could command to put an end to them, and all their power to protect British subjects, could not encourage the hon. Member to hope that Britain would become a principal in the hostilities, or that British forces would be brought to bear on the issue of the contest. He begged leave to assure the hon. Member that every possible means would be taken to protect the lives and property of British subjects.

Mr. *Milner Gibson* wished to know whether Government had authorised a letter from Mr. Mandeville, which had appeared in the public journals, requesting the Buenos Ayrean general to desist from advancing on Monte Video in an authoritative tone.

Sir *R. Peel*: the Government certainly never had authorised the British agent, nor had the French government authorised their agent to hold out the expectation that either one country or the other would become a party to hostilities, but both had been authorised to make representations in the strongest manner against the continuance of hostilities.

Mr. *Ewart* remarked, that British merchants in that country declared that our ambassador had assumed a position to which he had not adhered.

Subject at an end.

Canada Corn Law.] Lord *Stanley* moved, "That the Canada Wheat Bill be read a second time."

Lord *Worsley* moved as an amendment, "That the bill be read a second time that day six months." He was convinced that an extensive smuggling trade would be carried on across the border, if the bill became law; but if the duty were collected, on what principle could Ministers justify their giving up an amount of revenue to the colonists which ought to flow into the British Treasury? Again, why establish a system of protection in Canada? The agriculturists of this country wished to uphold the protective system because it had continued for a long time, during which, both agriculture and manufactures had, on the whole, prospered. But the Canadians had no such plea. They did not wish this bill for the sake of the protection it would give, or because they thought it necessary: but they knew if they did not consent to the imposition of a duty on their imports of wheat, there would be no chance of getting the British Parliament to pass the bill.

Mr. *J. E. Denison* in seconding the motion, said, that as they had now reached the stage in this measure, when it was usual to discuss its principle, and as the noble Lord had afforded them no fresh information upon it, it was necessary to examine the preamble of the bill itself. Now the preamble merely set forth, that whereas an act was passed by the legislative assembly of the province of Canada, imposing a duty of 3*s.* a quarter on wheat imported into Canada, therefore it was expedient that an act of Parliament should be passed allowing corn, the growth of Canada, to be imported into England at a duty of 1*s.*; and all flour ground in Canada, whether from Canadian or from American wheat, at a proportionate rate of duty. There was no allegation that any grievance will be removed, or any special benefit be conferred by this act; in this respect the preamble is candid enough, but it does not quite begin at the beginning, or tell the whole story; if it did, it ought to begin by stating, that, whereas, the Secretary of State for the Colonies wrote last year a hasty despatch to the governor of Canada, without duly considering the consequences; therefore, be it enacted, that this unmeaning and mischievous measure pass into a law; a reason hardly sufficient, indeed, for the Gentlemen opposite, and certainly, by no means conclusive in the eyes of the people of England. Let us look for a moment at the circumstances of Canada, and see whether there is anything peculiar in her condition which can justify the passing of this measure. Now it is admitted that Canada does not grow corn enough for the consumption of the North American provinces. Upper Canada alone, with a population of about 400,000, produces any surplus corn. Lower Canada, with a population of 500,000, Nova Scotia, New Brunswick. Prince Edward's Island, and Newfoundland, all look to Upper Canada for a supply of corn; and these countries are necessarily dependent on Upper Canada, who, herself, situated at the head waters of the lakes and rivers, has the earliest means, by water communication, of supplying all their wants. Can any country be more favourably circumstanced then than the corn-growing districts of Upper Canada? and what possible need can there be for the great indulgence granted by this bill? But it is said Canada should be treated as an English county. But under this bill she may sell her own corn dear, and buy all she consumes cheap; and what English county has such a privilege? If this bill should pass, English counties must petition to be treated as favourably as the colonies. Suppose Lancashire should address the noble Lord and request to be allowed to sell all the corn she produces in the London market, and to import all she requires for her own consumption at a 3*s.* duty, she will only be asking for what is granted to Canada by this bill, and what is granted to Canada under the pretence of treating her as an English county. A good deal of difference of opinion has been expressed as to the probability of smuggling under this bill. The right hon. Gentleman the Member for Coventry assured the House that very little smuggling could take place; the Member for Bath, a rather more impartial witness on this subject, assured the House that the most extensive smuggling would take place; that what with the facilities of crossing the river in summer and traversing the ice in winter, any quantity of wheat could be smuggled into the colony without the possibility of detection. Now setting for a moment these two witnesses one against the other, he (Mr. Denison) would call forward a still more important testimony, no other than that of the noble Lord himself. The noble Lord, in his opening speech, admitted that it would be most difficult, indeed that it would be impossible to prevent smuggling along a line of frontier of 1,500 miles, unless you had the whole population interested in the support of the law; now he (Mr. Denison) contended that you will have the whole population interested against the law. Will the millers be interested in paying 3*s.* duty on every quarter they grind? Will the consumers in the towns, will even the farmers themselves, be interested in the collection of the duty? Certainly not. The farmers indeed would be, if Canada was going to be the market for the corn, but the markets for the corn will be Liverpool and London, and the price of wheat in Canada will always be regulated by the price in Liverpool, *minus* the freight and charges. The farmers, therefore, who can send all their own corn to England, will be equally interested with everybody else in the colony in obtaining a cheap supply for their own consumption, in evading, and not in paying the duty. Strange to say, the very vice of this measure has obtained for it some supporters; for as it is attacked both by those who desire protection for agriculture, and by those who advocate freedom of trade, some, like the Member for Durham, have said that truth probably lies in the middle, and therefore they would support the measure; but some positions may be so unskilfully taken up, that they may be equally open to attack on either flank, and such seems to be the singular misfortune of the present Bill. Those who desire protection to agriculture say, if the good to be derived from this measure is so small, why interfere with existing arrangements? why harass and disturb the minds of men? Last year you left us at least this cloak for our inconsistencies. We could say, with our leader, have I not preserved the sliding-scale? Now that cloak is snatched from us; a fixed duty of 4*s.* is imposed on all American wheat; and by favour of the smuggler the 4*s.* will probably be reduced practically to 1*s.*, and no revenue will come into the exchequer. Say the advocates for freedom of trade, how many bad principles are not embodied in this measure? A Corn-law is imposed on Canada; new protected interests are called into existence. If any quantity of corn finds its way into the country, it will be through the medium of smuggling, which, with all its demoralising consequences, will prevail along the whole frontier. But beyond all these a more serious objection still presents itself. This Act stands in direct opposition to the sound principles of trade laid down by the Government last year, and gives, most unfortunately, just grounds of exception to the United States of America. The President of the Board of Trade, in a very able pamphlet, vindicating the measures of the last Session, has used these expressions—

> "Sir R. Peel and Lord Ripon have done away with a practice which had given great, and not wholly unjust, offence to America—and which is alleged, in the recent report of a Committee of Congress, as a serious grievance—namely, that of granting privilege of duty to foreign produce when carried to the United Kingdom from the ports of our colonies, and thereby excluding, under the provisions of our Navigation Act, the vessels of the producing countries from a fair competition with our own, for the voyage across the ocean; as, for example, in the case of their pitch, pine timber, and their ashes. The practice was also open to the objection, that it starved the revenue often without any advantage to the consumer."

Now the measure is open to every objection urged in this passage. It starves the revenue; it affords no advantage to the consumer. It diverts the trade from its direct and legitimate channel; it deprives the United States of a fair competition in carrying on trade of their own produce—and this, for so small an object, at a moment when you are inviting the United States to throw down the barriers of restriction, and to meet you in the open course of an honourable and friendly rivalry. They will say, you give us indeed fair words, but your deeds belie them; you invite us to a reciprocity in commerce, and seeing the next moment that some small advantage can be gained by the protection of your colonial code, you push it into new extremes, forgetful of everything but the promise of a momentary and exclusive advantage. If anything could be wanting to complete the objections to this Bill, it would be found in the time of its introduction. The Recorder of Dublin told you last night, that this Bill was adding recruits daily to the cause of Repeal in Ireland. It is exciting deep discontent among the farmers of England. Whatever might havs been the effects of the Tariff and the Corn-law of last year, they had produced one result of far more importance than a reduction of 10 or 20 per cent. on the value of produce. They have shaken all confidence in the country, all trust in public men, and all security in the future. When the right hon. Baronet, after rallying the whole spirit of monopoly in the country, was carried by that cry to power, and then announced exactly opposite principles, he offended the moral sense of the people of England. His so-called settlement of last year had no principle of fixedness in it, and would surely lead to speedy and much greater changes.

Mr. *Benett* agreed with his hon Friend who spoke last, that this was a most unfortunate time for introducing this Bill. He had not opposed the measures of last year. He had persuaded his constituents to accede to those measures as being final. He knew nothing—his constituents knew nothing—of any pledge to Canada; and the House might imagine his disappointment at finding fresh measures now proposed; at being told by his constituents, "You persuaded us that the bill of last year would be a final settlement; but here is another stride, and a large one, being made towards repeal; who can tell where the next stride will place us?" He was anxious to consider Canada as a county of England; but then Canada should either bear the burthens of English counties, or rather English farmers should be relieved from those burthens. The malt-tax, for example, fell most heavily on the poor man, and at the same time it destroyed itself because the poor man could not drink liquor made from barley. He would have all such taxes removed; and he could say so fairly, because he was the advocate for an income-tax. He thought it the fairest of all taxes. He wished, too, that protection should go hand in hand with a necessity of cultivation.

Mr. *Eliot Yorke* gave his support to the measure. Some time previous to the introduction of it, the right hon. Gentleman the President of the Board of Trade had distinctly announced the proposition of a duty of 3*s.* on American wheat passing the frontiers of Canada. It must not, then, be charged against the Government that the agricultural members were taken by surprise; they were themselves to blame for not having taken greater pains to understand the proposal of the Government. It was a measure which he hailed as one that would relieve this country from the pressure under which it now laboured, and as mediatorial between the landed and manufacturing interests.

Mr. *P. M. Stewart* said, that a measure so characterised by mystery in its birth and its after-stages, was never before propounded in that House. But if it were more clearly understood, he thought country gentlemen would coincide in the opinion, that the protective system was by no means invaded, but in some degree strengthened by it. There was, however, one ground upon which all English, Scotch, and Irish country gentlemen ought to resist it, and that was its disturbing effect. He had lately been in Scotland for the purpose of letting some farms, but the tenants asked only for renewals of three or five years, instead of the usual longer period, unless he could guarantee the continuance of the Corn-laws. And what would be the benefit of the measure to the consumer here? Would he not have to pay a higher duty on wheat from Canada than he had been paying on an average for some years past? In Canada, too, the millers and those engaged in the transit trade were opposed to it. The consumer in Canada was also against it for it was hostile to his interests. But it must be chiefly considered with reference to its effects upon our foreign trade with America. At first the Americans were induced to like it because it admitted their produce at a fixed duty, although by an indirect road. But why did not the Government at once come to an understanding with the Americans, and revive trade with our best customers by taking her produce in return for ours? He believed that the hostility of the American tariff arose entirely from the same causes as other foreign tariffs—namely, because we forced a false and unsound system so far that they were under the necessity of adopting such a course. Our manufactures were not taken because we would not receive as an equivalent that which she could spare—her agricultural produce. This was a measure of the blindest policy, and there was nothing to justify it but a hasty expression of the noble Lord, to which nobody paid any attention at the time it was uttered. Upon those grounds he should give his support to the amendment of his noble Friend.

Mr. *Bankes* said, it had been remarked of this measure that that part of it which was protective would cease, but that which savoured of free-trade would continue. It was impossible not to see that there was a very great probability of that being the case. He must complain of the manner in which it had been brought forward. They had yet to inform themselves as to what were the real feelings of the people of Canada with respect to this measure. It was stated by the noble Lord that it had been received with every degree of popularity in the colony, and carried with an unanimous voice through the Legislature; but it was a fact which could not be concealed, that it was rejected by that very Legislature only a year before; and, looking to the documents upon the subject, they found undoubtedly that there were discussions upon it, the nature of which they could not comprehend from the very meagre details before them, and that it had occupied several weeks in being carried through. It was not, therefore, too much to ask that they should be more fully informed of the real feelings of the population of that colony and of those who governed it, before they agreed to this measure. He might be told that this bill contained provisions by which, if the proposed protection should cease, the protection which now existed should come again into operation; and that if those provisions, as now framed, were not sufficient, amendments might be introduced in committee; but protection once lost was not so easily regained. And if it should happen from some unforeseen circumstances that the colony should, after the experience of no long duration, abandon this protection, he did not see how, even if the act were so skilfully framed as to entitle them to return to the protection which they had now, they would be enabled to insure the benefit of it. The hon. Member for Cambridgeshire had said that the agricultural Members had not been taken by surprise. But he would refer to the manner in which this measure was announced by the noble Lord; and must say, that the charge of the hon. Member against the agricultural Members was rather unfair, as proceeding from one of their own body. He must suppose that in Cambridgeshire this matter was well known. He must suppose that the constituents of the hon. Member had had advantages which the constituents of other hon. Members had not had; and he must suppose that the hon. Member had been directed by his constituents to support this measure, and to bring against the other agricultural Members the charge he had preferred. He believed that the noble Lord who introduced this measure entertained the sincere conviction that it would not have an injurious effect upon the agricultural interests of this country; and if the bill had been proposed last year, at a period when higher prices existed, it might not have been open to such strong objections as under present circumstances, might, as he conceived with justice, be urged against it. It was, however, useless at this time to endeavour to persuade the agriculturists that the measure would be beneficial to them, and that it would not lead to a considerable diminution of their profits. The noble Lord in introducing the bill had taken great pains to remove the impression that it would tend to encourage smuggling; and he enlarged upon the trifling advantage which would be derived from contraband trade and the difficulties by which it would be attended. He believed, however, that the system of smuggling which they had reason to apprehend would be carried on in this manner:—that a vacuum being created in Canada by the exportation of colonial wheat to this country, grain would be smuggled from the United States into Canada for the consumption of the colonists. The only protection afforded to the agriculturists of this country would therefore be the duty of 1*s.* There was another point to which he wished to direct the attention of the House. Under the provisions of the Grinding Act, any quantity of flour might be taken to the bonding warehouses, and exchanged for an equal quantity of foreign wheat. How were they to guard against fraud here? What was to prevent persons from exchanging Canadian flour which had paid a duty of 1*s.* for an equal quantity of American or other foreign wheat? Suppose a person imported a quarter of Canadian flour upon which the 1*s.* duty was paid, how could they guard against his taking it, under the provisions of the Grinding Act, to the bonding warehouses and exchanging it for a quarter of foreign wheat, which ought to pay a duty of 20*s.*, thus gaining an advantage of 19*s.*? He sincerely hoped, that if this measure must pass into a law it might produce all the benefits anticipated by the noble Lord. He was far from supposing, that if the system of protection continued to be maintained in Canada it would not be productive of benefit to the colony; and, if such benefit did result, he believed it would be productive of reciprocal advantage to this country. But he considered that, in the present depressed state of the agricultural interest, when he saw the anxiety and alarm which prevailed in the agricultural districts, he would not be discharging his duty to those whom he represented in that House if he gave his assent to that measure. He felt great regret in having compelled to differ from those with whom he generally acted, and to whom he gave full credit for the sincerity of the motives by which they were actuated in proposing this bill. He had no doubt they entertained the sincere conviction that the measure would not prove injurious to British agriculture; and he trusted they would do him the justice to believe that he was influenced by equal sincerity in adopting the course which he felt it his duty to pursue.

Mr. *Mitchell* thought that the importance of this measure had been greatly overrated. He did not think the importation into this country of 80,000 or 100,000 quarters of Canadian wheat would produce any material effect upon the home market. He objected to the bill, however, because he believed it would abstract the difference in the duty from the British Treasury, in order to put it into the pockets of the Canadian landed proprietors, and that it would tend to raise the price of wheat to a proportionate extent in Canada. The measure would therefore inflict a double blow—first, upon the English Treasury; and next, upon the Canadian consumers; and for what object? To support the landed interest in Canada. He considered that the tendency of the bill would be to discourage, rather than to increase, the transit of American wheat through Canada to this country. Hitherto the duty on American wheat imported through Canada had been 2*s.* 1*d.* per quarter; but by this measure a permanent duty of 4*s.* a quarter would be imposed. He also objected to the bill because it would create a vested interest in Canada. Many persons might be induced, under the expectations which this measure encouraged them to indulge in, to invest their capital in Canadian agriculture; and if it should be hereafter found expedient to adopt measures of a different nature, they would turn round and complain of the injury done to them, and of the interference with their vested interests. He did not think that the bill carried out the principles of free trade, or that it would benefit the consumer; and he would, therefore, oppose it.

Mr. *S. Wortley* said, the Government had been charged with having misled the people of this country with respect to the present measure. He might say, in reply to observations which had fallen from several hon. Members, that the right hon. Gentleman the President of the Board of Trade had last year proposed to impose a 3*s.* duty on the importation of United States corn into Canada by an act of the Imperial Legislature; but, on consideration, it was thought advisable to leave it to the colonial Legislature to impose a duty on corn passing their frontier. It was eventually suggested that a duty of 3*s.* should be levied on the Canadian frontier, a duty of 1*s.* being imposed on importation into this country. He could therefore fully confirm the statement of the hon. Member for Cambridgeshire (Mr. E. Yorke); and he thought that hon. Gentlemen had no reason to complain that they had been deceived by the Government with respect to this measure. It had been said that this bill was designed to afford protection to the agricultural interest in Canada, and to give an advantage to the colonists in the home market over foreign producers. But the same principle had been adopted in, he believed, 1836, with regard to colonial sugar, and subsequently with respect to rum. There could be no question, in his opinion, that as a matter of revenue a fixed duty was preferable to a sliding scale. With respect to the operation of the measure, he could not believe that it was likely to have an extensive effect on the agricultural interests of this country. As the noble Secretary for the Colonies had said, the measure had been long looked for as a great boon by the Canadians, and considering all the circumstances of the case he could not but support the second reading.

Mr. *V. Smith* was afraid that it was almost ungenerous to aim another blow at this almost undefended measure; but he must say he thought that such a measure ought to have received something more of explanation from her Majesty's ministers than the House had yet heard. If the noble Lord who introduced it did not like to say anything in its defence why were others silent? Why was the Paymaster of the Forces absent, introduced as he had been into the Cabinet as a decoy to the country gentlemen,—as the Mrs. Bond who was to invite them to come and be killed? On a former occasion he had taken the liberty to ask the noble Lord whether he could support his assertion that the Canadian Act had passed with the unanimous consent of the Canadian Legislature. That assertion had been denied by the hon. Member for Montrose (Mr. Hume), and the noble Lord, in consequence, had produced the journals of the Canadian Legislature, from which, however, he (Mr. V. Smith) must say that any thing but what the noble Lord had stated appeared to have been the case. [Lord *Stanley* had made no such an assertion.] The noble Lord had certainly been understood by himself and others to have stated that the Canadian act had passed unanimously; however, the noble Lord must know, at least, he (Mr. V. Smith) hoped the noble Lord knew, that he was the last person to accuse the noble Lord of intentional incorrectness, and he hoped the noble Lord would take an opportunity of informing the House on what precise questions the divisions in the Canadian Legislature had been taken. It appeared that no fewer than four divisions had taken place in reference to this subject. The noble Lord had called upon the House of Commons to pass the measure, because otherwise, he said, it would be an insult to the colony of Canada. Now the insult, if any to the colony, proceeded from the noble Lord himself, for he had made a promise to the colony without having the sanction of the British Parliament. To talk of insult to the Canadian Legislature, he must confess, appeared to him to be idle. If the House of Commons were to be told every time that an occasion occurred for them to exercise the privileges and rights of the House, that they must not do this or that because it would be an insult to the colony, he must say, in his opinion, that would not be fitting Ministerial language. The hon. and learned Member for Cork (Mr. O'Connell), was very differently treated when he said that this or that conduct would be considered an insult to Ireland. To take that into consideration, it was declared would be fettering the privileges of the House. But if the bill passed, would it not be an insult to the other North American colonies, to Nova Scotia, New Brunswick, and Prince Edward's Island, which, though not so valuable at present, might some time or other approach very nearly in value to Canada? The House was told, however, that these were not agricultural colonies. He believed the very same reason applied to Canada. At the present moment it did not raise any great quantity of corn. The House had been told by an hon. Gentleman who was acquainted with the country that the fly destroyed the crops in Lower Canada, and though there might be some surplus from Upper Canada it was only from that part of the colony that any could be expected. But Nova Scotia was advancing in agriculture. The emigration papers presented by the noble Lord yesterday showed that prizes were given there for agricultural improvements. These were small beginnings, it was true, but they were worth something. Because Canada had cost treasure and blood, we should not be afraid to act fairly to the other colonies as well as to Canada. Then the governor of New Brunswick stated, that in his progress through the colony he had everywhere noticed improvements in agriculture. Prince Edward's Island, he was told, had passed a similar act to this of Canada, with a similar prospect of a boon from the noble Lord. The noble Lord denied it, it seemed; but he asked, whether, if the other North American colonies passed similar measures, would the noble Lord dare to refuse them this boon? Writing to Jamaica the noble Lord stated that a privilege given to one colony could not be denied to another colony. He (Mr. V. Smith) took those words, and warned the noble Lord that a boon given to one colony could not be refused to another. Let hon. Gentlemen opposite, therefore, lay their account with having wheat coming in from all the colonies on the same terms as from Canada. The noble Lord had introduced his resolutions at one o'clock in the morning of the 6th of May — a most inconvenient hour — the consequence of which was, that at this stage of the measure, it was too late for him (Mr. V. Smith) to introduce the names of the other North American colonies as he should otherwise have done. There was one thing that he wished particularly to know, whether the noble Lord had taken any additional precautions against smuggling? He did not even know how the noble Lord proposed to defray the expenses of the measure in that respect. Did he mean to call upon this country? If the noble Lord did, he could assure him that this country would not afford him the means; or did the noble Lord mean to say that Canada would defray the expense? How was that to be brought about? It was impossible, in his opinion, that the duty could defray the expense. In fact, he believed, that the duty would not be levied; for he could not see that it was the interest of any person to maintain it. Their act having passed, and received the Royal assent, how could the noble Lord compel them to levy the duty? The noble Lord told the House,—"Oh, we don't want Custom-house officers; every man in Canada will be a custom-house officer." Why so? The largest portion of the population would be interested in smuggling. There would be no one person in Canada who would be interested in the slightest degree in the prevention of smuggling. These things were overlooked by Gentlemen on the opposite side; or, perhaps, their principal object was to support the Ministry, and it was with that view some few came down on one night to vote against one resolution, and a few more on another night to vote against another. The object of the bill was to establish a protective interest in Canada, which ultimately would unite with the protective interest here to oppose the principles of free-trade; and it would be difficult to oppose their united efforts.

Mr. *G. W. Hope* said, that no arguments had been advanced against the bill which had not been urged before over and over again. The bill was verbatim the same as the resolutions; and what necessity was there for his noble Friend going over the same ground again. From the course of argument pursued by his hon. Friend it would be supposed that there was no Custom-house in Canada. His hon. Friend ought to know, from the situation which he had formerly held, that duties were collected on other articles coming into Canada from America, and that sufficient security for their collection existed. Where smuggling could be carried on along the frontier there was no corn, whilst the great lakes were interposed between the corn-growing countries and Canada, and these lakes, as he understood, were never entirely frozen over in winter. Besides this, what would be the gain to the smuggler in comparison with the risk of seizure and the difficulty of landing? There had been formerly a considerable quantity of contraband tea introduced from America, but the reduction of duty to one half, combined with other causes, had done away with the contraband trade. An overwhelming majority of the Legislative Assembly of the two Canadas was in favour of the bill, and, notwithstanding the division in the Canadian Legislature there had been no vote against the principle of the bill. It had been asked by his hon. Friend, who pressed the point with some emphasis, whether it would be possible to refuse the same boon if it were required by our North American colonies; but it should be remembered, that these colonies did not produce corn for exportation. As to the allusion which had been made to the Prince Edward's Island Act, the answer was, that it only related to revenue. When the prices were very high here, American corn, instead of coming by the route of Canada, would come direct, and when the prices were low, American corn would come to this country through Canada. His hon. Friend argued, that the bill would give strength and consistency to the existing Corn-laws which at any rate proved that the measure was not brought forward for the purpose of weakening the present protection.

Mr. *Sheil*: I do not think that the hon. Gentleman has succeeded in showing that it was not necessary for any Member of the Treasury Bench to have taken part in this debate; nor do I think he has shown, what it was of great importance to establish, that the statement of the noble Lord, the Secretary for the colonies, that there were no divisions in the Canadian House of Representatives on the measure, has been borne out by the facts. I am convinced, that the noble Lord only stated what he believed to be true—the documents, however, which he has produced, prove that the noble Lord laboured under a mistake of an egregious kind. After the noble Lord had stated to the House, that there were no divisions, my hon. Friend, the Member for Montrose, referred to a paper in which it appeared that there was a division on the first resolution. When that paper was reverted to by my hon. Friend, and when he referred to the speeches made upon that occasion, I ask how it is the noble Lord could make an assertion, so utterly at variance with the evidence adduced by the Member for Montrose. The noble Lord said, he had referred to the journal. So have I. Surely, the noble Lord will admit, that a division on the resolution on which the bill is founded is the same thing as a division on the bill itself. What was that resolution? Resolved,—

> "That it is the opinion of the committee, that it is expedient, in order to encourage the agricultural interests of this province, and facilitate the free admission of Canadian wheat into the ports of the United Kingdom, to impose a duty on foreign wheat imported into this province."

Did not that resolution involve the principle of the whole measure? Then look at page 5, and let us see who is in the right. We have assertion on one side, met with asseveration on the other, but what is the proof? On the top of page 5, I find this statement:—

> "The question being then put on the first resolution, the House divided thereon, and the names being called for, they were taken down as followeth."

On the first resolution, involving the principle of the bill, there was a division taken, therefore the noble Lord had not made out his assertion. Then you say, "read the intermediate portion." Between the first resolution and this division there was a division on an amendment The amendment was lost, and then the division was taken on the first resolution.—

> "The question being then put on the first resolution, the House divided."

I think the noble Lord, with all his ingenuity, will not be able to elicit any different construction from that entry. Then let us see whether other assertions are better founded. The hon. Member for Cambridgeshire said, that the country had not been misled, but straight, the hon. Member for Dorsetshire turns round and asks whether his constituents have been misled? And that question has received no answer The hon. Member for Dorsetshire added that he had not been misled. Did the hon. Member for Dorsetshire convey that information to his constituents? Did he, in this House, take part in the debate with the hon. Member for Yorkshire, who was also not misled? Did either of the hon. Members take pains to impress on the agriculturists the benefits of those measures, taken in reference to which you may well exclaim,—

> "O fortunati nimium bona si sua nôrint."

But the people say they are misled. In order to ascertain whether the charge is well founded let us see the facts. The noble Lord anticipated the charge, and declared that the measure was not clandestinely introduced, and the noble Lord adverted to a speech made by himself. It is true that the Vice-President of the Board of Trade, on the 8th of February, 1842, suggested the advantage of a fixed duty between Canada and America; did he say one word about the abolition of the duty on Canadian wheat brought into this country? Not a syllable. He said there was a disposition in the Government to lessen the duty upon American wheat introduced into Canada, but not a word about reducing the duty on Canadian wheat brought into this country. It therefore required considerable ingenuity and ability to extort from the right hon. Gentleman's statement as an inference that which he now said he had so clearly declared. On the 9th of February the greatest interest prevailed throughout the country to know the determination of the Government; it was supposed that they would adhere in Parliament to their pledges expressed or implied. In the hush of public attention, when every sentence of the Prime Minister not only entered the ear, but was impressed on the mind, the Prime Minister entered into an explanation of the alterations which he intended to adopt. Did he say a word about this bill? Not a syllable. He detailed with the utmost minuteness, the change he intended to make in the duty on Canadian corn. There was to be a 5*s.* duty when the price was 55*s.*; as the price advanced to 58*s.* the duty was to be reduced. What was it incumbent on a Prime Minister to do when, upon such an article as corn, this plan was in meditation? Was it not to apprise the country of the fact? My right hon. Friend the late Chancellor of the Exchequer (Mr. Baring) asked on the 9th of February, 1842, whether the Cabinet contemplated any change. If they did, why did they suppress all mention of it? A hint was given by the noble Lord the Secretary for the Colonies? In what stage of the Corn-law was that hint given? Was it on an amendment of the Government? No. My hon. Friend the Member for the county of Limerick made a motion, and then the noble Lord the Secretary for the Colonies made a motion, which he is astonished we have not borne in mind. He may be astonished that his words were not understood, but the country gentlemen did not conceive the noble Lord's words conveyed any such meaning. This was on the 28th of February. There was another speech made on the 18th of April. No one had mentioned what took place on the 18th of April. The noble Lord then the President of the Board of Trade (the Earl of Ripon), who is now transferred to another department, where I believe control is very necessary, introduced the Corn-law in the other House. Did he say one word in reference to the bill? The Prime Minister had passed it over, the Secretary for the Colonies had introduced it incidentally, and then the President of the Board of Trade left it out. The 2nd of March was passed. At that time the noble Lord's despatch had been written; on the 18th of April, when the corn bill was brought into the House of Lords, the President of the Board of Trade did not utter one word with respect to this measure. I entirely acquit the noble Lord of practising any deception to the House of Commons, but it is most unfortunate that the country gentlemen have been taken by surprise. the hon. Member for Shropshire is taken by surprise; the hon. Member for Suffolk the gallant representative of agricultural astonishment are utterly amazed. If there be a scale of surprise, the farmers of England have gone through every grade of the scale. They marvelled that the Whigs changed their minds before the general election—they were astonished that the Tories changed their minds so soon afterwards. They were amazed at the Corn-bill—they were appalled by the tariff, and now they are still more thunderstruck that fifteen months afterwards you should come forward and introduce a change into your own final measure; that you should give up your sliding-scale and adopt a fixed duty which would prove a fixed imposture. In my opinion this bill is objectionable to the farmers who are the advocates of protection, and it is still more objectionable to the advocates of free-trade. The farmers suppose that they are to have protection, and you give them a duty payable here; whereas you turn round and substitute for a duty raised here in England, a duty to be raised in Canada for the Canadians, and not for England. You may say "imperial policy requires this." Possibly "imperial policy" may require the abolition of the Corn-laws; and you defend those laws, not on a reference to imperial policy, but you defend them in order to support particular interests; in other words class interests. Is it not the same thing to Ireland and to England if flour comes into this country whether it is ground on the Vistula or the St. Lawrence. Will not Canadian corn interfere with home-grown corn as much as corn grown at Dantzic or in America. Will it not equally displace home-grown corn? Will it not equally interfere with contracts—will it not affect pin-money and settlements quite as much as foreign grown corn. Why then do you introduce this bill. It seems from the papers before the House that the Western States of America are by this bill to be converted into the granaries of this country. How do you reconcile that probability with the policy of your Corn-laws, to which you express your determination to adhere? I pass to the smuggling question. In these papers you have a memorial showing that there will be no smuggling. Who do you think is the authority against smuggling? Why, my Lord Mountcashel. You will hardly believe it—this bill is sheltered under that illustrious name—

> "Magni stat nominis umbra."

The North American committee of the Colonial Society sent the memorial, but the first name among the subscribers is my Lord Mountcashel. Giving you the full benefit of all the authority to be derived from the name, see how stands the evidence. We have had the opinion of the right hon. Member for Coventry (Mr. E. Ellice), whose sagacity, whose talents, and whose pure and disinterested principles are beyond dispute. I know of no man of more shrewdness and sagacity, of whose opinion with regard to matters affecting Canada I would more readily take, but against him we have had the evidence of two hon. Members, one an Englishman, who has been officially connected with Canada, I mean the hon. and learned Member for Liskeard, and the other a Canadian, the hon. Member for Bolton, [*No! no!*] If he is not a native of Canada, he is most honourably connected with that colony, of which the Legislature at one period made him the repository of its special confidence. My hon. Friend the Member for Liskeard has been in Canada, he was a member of Lord Durham's government. Both these gentlemen concur in stating that smuggling will be carried on to a very great extent. My gallant Friend the Member for Marylebone concurs in that opinion. He is well acquainted with Canada; against that opinion his testimony has been given by the noble Lord the Secretary for the Colonies, who has been in Canada, but his evidence is rebutted by that of the Members for Maldon and for Taunton, who travelled with him through Canada, when they sympathised with the noble Lord in sentiments, which he no longer entertains. They think that smuggling will be carried on to a very great extent under these circumstances, where there appears to exist a doubt so strong upon a matter so important, and the witnesses contradict each other so directly, would it not have been a better course to have referred the whole question to a committee? At present we have nothing but assertion upon one side encountered by equally strong asseveration upon the other. I have said that the advocates of free trade also ought to oppose this measure. The Americans are already complaining of the introduction of this tariff. When you are introducing into Canada a Corn-law which has produced such bad effects here, may it not have an equally pernicious effect in Canada without necessity, all the evils of your Corn-laws. There is no pretence for a Canadian Corn-law. There have been no investments in Canada made on the faith of the Corn-laws, capital has not been introduced there under them, there are no settlements or family arrangements dependent upon them in Canada. By destroying the Corn-laws here you may root up interests which have grown up with them. But this cannot be said in Canada. We have received an intimation that the Corn-laws here cannot be maintained, and my hon. Friend, the Member for Montrose says, "Carry this measure as soon as you possibly can, and the Canadian Legislature will break through it." You, feeling the force of that suggestion, have attempted to guard against it. You have altered your resolutions, you have added to the words, "from and after a day to be named," the words, "and thenceforth during the continuance of the said duty." You feel the force of the objection, and you say that the present act shall be co-existent with the Canada Act. Is not this evidence that you consider, after a trial of your Corn-laws, the Canadians will try to get rid of them. If there be a cry for a repeal of the Corn-laws in this country, why should not there be a cry for the repeal of Corn-laws in Canada. You say that with a fixed duty in a time of famine in England there will be a cry for repeal of this fixed duty; if there be a time of famine in Canada why should there not be a similar cry there [*No, no.*] You say "No." I am aware of the value of an official denial, but where is your evidence? And what is your principle of a fixed duty? You have a sliding-scale on the Hudson, and a fixed duty on the St. Lawrence. You slide along the Erie, and are in what the Americans call "a fix" on the Welland Canal. Nay, if you bring American flour down the St. Lawrence, and grind it there, you admit it at a fixed duty, whilst if it comes unground, it comes in under the sliding-scale; so that on the St. Lawrence itself, you have in operation at one and the same time, the sliding-scale and the fixed duty. I do not enter into the calculations or into all the mystifications may I say, in which the noble Lord indulged. One word more — I have not heard on the other side anything which can justify the exclusion of Nova Scotia, New Brunswick, and Prince Edward's Island. This point has been pressed again and again. It has been pressed by those who have attacked the Government in front, and those who have fallen upon them in the rear; but no definite, skilful, and perspicuous answer has been extorted by the most skilful inquisitor who has administered his interrogatories to the noble Lord. Lord Durham recommended, that all these colonies should be combined into one mass. It was apprehended, however, to be too serious an experiment, and was not adopted. Yet there is no difference in the natural advantages of these colonies; there is no ground for making the present distinction. You say that there is no corn grown there; but I have abundance of evidence to show that there is. Mr. M'Gregor says so. Under Sir Howard Douglas a great impetus was given to the growth of corn in Nova Scotia; and the same thing is asserted both by Mr. Buckingham and Mr. Martin. But you do not think, that Nova Scotia will complain. Have you forgotten the proceedings of the people of that colony? Do you not know, that the Legislative Assembly of that colony forced from amongst them certain obnoxious individuals—that they have exhibited a will of their own, and a power to carry out their views? It is only for countries in a state of insurrection, however, that such premiums are reserved. Is it fair on the part of a British Ministry first to enter into what I will not call a clandestine bargain, with the Canadian Legislature, but a bargain without the assent or knowledge of Parliament, and then to turn round and say, "If you do not ratify our treaty there will be a civil war." Those words were not used, undoubtedly, but you talked of the danger to this country, and of the weakest point of the British empire. And you did not stop there. You assembled your Friends; not in this House, but out of the House; they met at the Foreign-office, and you threatened your supporters with resignation. [*Cries of* "*No, no.*"] We were threatened with a civil war, and then you threatened your supporters with resignation. [*Cries of* "*No.*"] Did not the noble Lord say, that if this bill was not carried he should advise his Sovereign to refuse the royal assent to the Canada bill, and resign his office. ["*No, no.*"] He said it should be his last act. [*Renewed cries of* "*No.*"] Well, then, in place of saying that it should be his last act, he said, "though it should be his last act." [*Cheers and cries of* "*No.*"] If that be not what the noble Lord said, it would be better for the noble Lord himself, in candour, to state what he did say. The threat used at the meeting to which I am referring, however, as it is stated in a letter, written by the Member for Kent, appeared to involve resignation; but as there is so much doubt on that point, I may recommend to the noble Lord, that he should have recourse to a dissolution, and on the Corn-laws, the Canadian bill, and the prosperity with which he has blessed the country, give the people of England an opportunity of pronouncing a practical panegyric on the administration of himself and his associates.

Lord *Stanley* said, that certainly the right hon. and learned Gentleman who had just sat down had introduced something of novelty into the debate, which he had thought so worn out that he should have felt an apology due to the House for again intruding upon its attention, were it not that such a direct appeal had been made to him by the right hon. and learned Gentleman. In consequence of some expressions which had fallen from the right hon. and learned Gentleman at the close of his speech, he felt bound to trespass upon its indulgence for a few moments while he endeavoured to show that he did not shrink from the challenge which had been thrown out, and to prove that he was prepared to meet the right hon. and learned Gentleman. When he remembered that the right hon. and learned Gentleman had been for a considerable time a Member of the late Administration, he did not feel great surprise that the right hon. and learned Gentleman should recommend to the present Government any other expedient rather than that of resignation. He thought that if the right hon. and learned Gentleman had carried his example and experience rather than his precept a little further, the last and fatal experiment of a dissolution would not afford the right hon. and learned Gentleman any grounds for urging a dissolution as the best course to be adopted. The right hon. and learned Gentleman seemed to know the circumstances which he supposed to have occurred at a private meeting of gentlemen widely differing from the right hon. and learned Gentleman in political opinions. [Mr. *Sheil*: "I spoke on the authority of the published letter of Mr. Plumptre."] That letter he had not seen, but the right hon. and learned Gentleman had stated, that on the part of the Government he (Lord Stanley) had taken the undue and indecent liberty of threatening the supporters of the Government, that unless they gave their support to this measure, he should feel it his duty to resign the situation he had the honour to hold. Now, there were many Gentlemen then in the House who, unlike the right hon. and learned Gentleman, had been present at the meeting, and who could remember what had passed. At that meeting—if the right hon. and learned Gentleman wished to know what passed—he had stated to the Gentlemen assembled, that which he conceived showed the groundlessness of the apprehensions of the agriculturists with respect to this measure. He had stated further, the position in which the Government was placed with respect to this measure, but he added, most distinctly, that no Member of Parliament was pledged to its adoption; and he also said—and he now repeated it—that it was then and still was the duty of the Government, considering the pledges given to Canada, to use its utmost endeavours for the purpose of carrying the measure into effect. The right hon. and learned Gentleman had alluded to a speech which he had made in Parliament on the occasion of the motion of the right hon. Gentleman the Member for Taunton (Mr. Labouchere. [Mr. *Sheil*: "Your opening speech."] Be it so. On that occasion he stated strongly, that the Government was pledged to take every step to secure the passing of this measure—that the Canadian Legislature had passed a bill in the full reliance that the measure would become law, and he had stated further, that if unfortunately, and contrary to his expectations, Parliament should refuse its sanction to one side of the contract, he would not be a party to advise the Crown to assent to the other portion embodied in the bill of the Canadian Legislature; and that in the event of the rejection of the bill now under consideration, it would be his first, though it might also be his last official act, to advise the Crown to refuse its assent to the bill passed by the Canadian Legislature. Now, he did not think that any hon. Member could fairly construe this language into a menace. But the right hon. and learned Gentleman had stated that he had not only held out threats of danger to the country by the rejection of this bill, but that he had entered into a clandestine treaty with Canada, and concealed it from the House. [Mr. *Sheil*: "No."] Oh, yes; the right hon. and learned Gentleman said, he had entered into a treaty which the right hon. and learned Gentleman would not designate as clandestine. That was a stale artifice, and one wholly unworthy of the right hon. and learned Gentleman. The right hon. and learned Gentleman had gone on to state that he had said, that if Parliament refused to ratify the treaty, there would be civil war in Canada. He had never said or thought anything of the kind; but this he had said, and this he repeated, that it was not the same thing to refuse to pass a measure when nothing had previously taken place, and to withdraw a boon when an equal benefit had previously been conceded. But the right hon. and learned Gentleman had also contended that he had made statements—which, the right hon. and learned Gentleman defied him, with all his ingenuity, to get out of—with respect to the unanimity of Canada in reference to this measure, and taking in his hand the journals of the House of Assembly, the right hon. and learned Gentleman had charged him with having misrepresented facts. [Mr. *Sheil:* "No, I said you were in error as to facts."] The right hon. and learned Gentleman added, that from those journals he would prove the error. Now, his declaration had been, that the principle of the present measure, and also the principle of the bill passed in Canada, had obtained the universal and unanimous assent of all the branches of the Canadian Legislature; and he repeated that statement. The right hon. Gentleman, the Member for Northampton had said, that in the House of Assembly, as appeared from its journals, there had been some division upon the original resolution; but the right hon. Gentleman had omitted to state, that two of those divisions were with regard to a third resolution, not at all or in any degree connected with or forming a part of the measure under consideration. There had been two divisions on the first resolution, which was to the effect—

"That it was expedient to encourage the agricultural interests of this province (Canada), and to facilitate the introduction of foreign wheat into the province at a duty named."

The amendment moved was to the effect,—

"That such duty should be levied only when Canadian wheat could be admitted into the United Kingdom duty free."

In short, the original resolution was to impose a duty of 3*s.*, without conditions; the amendment was to impose a duty with conditions. On these motions divisions had taken place, and the original resolution was carried by a majority of thirty-nine to eighteen. The main resolutions were afterwards carried by a majority of forty-nine to thirteen; and of the thirteen Gentlemen who voted in favour of the amendment twelve of them had declared, that their opposition was founded on the circumstance, that the bill now under consideration would not give security to the Canadians. [Mr. *Sheil*: "That statement is very ingenuous."] It might be ingenuous; but what was much better, it was true. A similar amendment had been moved on the bill, and with these exceptions, neither in the second nor in the third reading of the bill had there been any division or difference of opinion either in the upper or the lower House of the Legislature. Now he asked the right hon. and learned Gentleman, and he asked the House whether he had satisfied both, that upon the principle of the measure proposed by the Government there had been no difference of opinion whatever. If there had, the passage which had been referred to by his hon. Friend, the Under Secretary for the Colonies (Mr. G. W. Hope), showed that those differences had been misinterpreted. So much, then, for the circumstances under which the measure had been passed by the Canadian Legislature. The feelings and opinions expressed by that Legislature, he took to be indications of the feelings and opinions of the people of Canada. But there remained another point which had been noticed by the right hon. and learned Gentleman opposite. The right hon. and learned Gentleman had said the present bill was a surprise upon that House and upon the country. He regretted, that any hon. Member should have misconceived the intentions and views of her Majesty's Government, and he admitted frankly, that neither Parliament nor hon. Gentlemen opposite were bound by anything which had passed last year. The right hon. and learned Gentleman (Mr. Sheil) had quoted what had passed on the 8th and 9th of February last year, and had said, that his (Lord Stanley's) right hon. Friend, the President of the Board of Trade, had, in moving the British Colonial Possessions Bill, taken no notice of what the Government intended to do with respect to the Corn-law. This omission had arisen from the simple fact, that then the Corn-laws were not under consideration; but on the 8th of February, before the Corn-laws were introduced, the right hon. Gentleman, the Member for Taunton had taken an objection to the principle of the imposition of a duty by the authority of Parliament, without the consent of the Canadian Legislature. The fact was, that the Government was doubtful as to the course of the colonial Legislature. But the right hon. and learned Gentleman opposite (Mr. Sheil), although he had quoted what had passed on the 8th, the 9th, the 28th of February, and the 18th of April last year, had omitted a very important statement made by his right hon. Friend, the President of the Board of Trade, on the 25th of February, on the discussion of the motion made by the hon. Member for the county of Lincoln (Mr. Christopher), with respect to the Corn-laws. On that occasion his right hon. Friend had used these words:—

"With respect to the question which had

been alluded to, he believed that no man in that House would contend that any regulation ought to be adopted in the new Corn-law which should raise a new barrier as against our trade with the United States. He had proposed laying a duty of 3*s.* on wheat imported into Canada. Should Parliament, however, lay a merely nominal duty on the importation of Canadian flour and wheat into this country, he would not venture to pledge himself, that it would not be right to lay the duty on the importation of American wheat into Canada, which stood in his resolution; but if Parliament should adhere to the principle of a 5*s.* duty on the importation of Canadian wheat and flour in this country, in that case the 3*s.* duty would not be pressed upon the House."

Did not this statement announce the contemplated introduction of American corn into Canada, and of Canadian corn into this country? The right hon. and learned Gentleman had said, that his noble Friend took no notice of the question on the 18th of April; of course not, for it was not then settled. His noble Friend never thought of referring to that which, after all, was for the consideration of the colonial Legislature. With regard to the question of smuggling corn from the United States into Canada, and also with regard to the quantity of corn that was likely to be introduced from the United States into Canada under this bill, the matter had been discussed *usque ad nauseam*. He, therefore, would not go into it. The hon. Member for Maldon, however, had made an observation with respect to smuggling wheat into Canada, which he wished to advert to. The hon. Gentleman had misapprehended what had fallen from him; he did not say, that he could not tell the extent of the smuggling, but he said, that he did not apprehend that there would be any serious extent of smuggling inland, but that it was possible a certain portion might be smuggled that was introduced by the sea board for the use of the fisheries. Again, his hon. Friend the Member for Dorsetshire did not find fault with the engagement that had been entered into with Canada, but he complained that the measure had been brought forward when agriculture was suffering under such depression; but surely the fall of prices could not justify the Government in abandoning the measure. The hon. Gentleman said, that if the measure was to be carried when corn was at the price of last year, he did not anticipate any great evil that would result from it. It was admitted by his hon. Friend, that the measure would prove of great advantage to Canada, and that a great number of British subjects annually emigrated there, and that no boon could be conferred on those provinces which did not react on the mother country. Now, these were large admissions, and all of them of great importance. He believed, that if they thus did good to Canada, which was the natural refuge for so large a portion of the population of the mother country, that it would react upon the state of this country, and would produce the most beneficial effects. He would not waste the time of the House with going into calculations as to the probable quantity of corn, or rather flour, which was likely to come from Canada under the operation of this measure; but to relieve the apprehensions of some Gentlemen connected with agriculture, he perhaps might be allowed to state, that he had received some communications from mercantile houses connected with the Canadian trade, in which he was assured that the quantity likely to be imported this year under the measure was very small. He found in the communication of one Canadian mercantile house, that it was stated:—

"That the price of flour at Montreal is from 22*s.* 6*d.* to 25*s.* a barrel, that was about from 43*s.* to 47*s.* a quarter of wheat. The stock on hand is small, and much less will be exported from up the country than there could be last year. The market price in New York is 2*s.* higher than in Canada, and that still would take up a large proportion of the corn from the western states."

After this he said with perfect confidence, that he did not believe that there was much to apprehend to the agricultural interest of this country from this source. The hon. Gentleman asked, would not Canada corn swamp the home market as much as that from Odessa? Certainly it did not matter so much where the corn came from, if the market was to be glutted; but when they obtained a supply, it was a material thing to consider at what price it was likely to be introduced into the market. If they could get Odessa corn at 14*s.* a quarter, it would displace the consumption of English corn, and, of course, reduce the price. If two or three hundred thousand quarters of wheat were introduced at this rate, the effect would be strongly felt; but he did not anticipate that any quantity of corn imported from Canada would displace an equal quantity of home produce. It did not matter, however, where the corn came from, if it came at such a price as materially to affect the prices in the British market. As for the remark that had been made, that this measure created an invidious distinction between Canada and the other North American colonies, one hon. Member having intimated that it perhaps arose from the circumstance of there having been no rebellion in the other colonies, that it was not extended to them; and another hon. Member having said, that if the bill passed in its present shape, you would impose an affront on Nova Scotia—he must disclaim any such motives, and say he feared no such consequences. The right hon. Gentleman who spoke last, as well as other hon. Gentlemen who took the same side in the debate, agreed in this objection. And here he would beg the House to recollect, that when he introduced the measure, he distinctly stated, that it was not brought forward to promote the grinding interest of the colony, but for the encouragement of the domestic agriculture of Canada, and that they should send here not American, but Canadian corn. Were hon. Gentlemen aware of the fact, that since the old Corn-law came into operation, the whole quantity of colonial corn brought into this country for home consumption, with the exception of that from Canada, did not exceed 35,000 quarters? He was told, however, that Nova Scotia would consider this measure as an affront to her, and why, he would ask? Nova Scotia did not grow anything like wheat enough for her own consumption. New Brunswick also did not produce nearly sufficient for her own consumption. It had been strongly argued, that Canada produced more than sufficient corn for herself, but not sufficient to satisfy the wants of the whole of British America. Now, he begged hon. Gentlemen to recollect, that Canada, Nova Scotia, New Brunswick, and Prince Edward's Island, comprehended the whole of British North America. At present, Nova Scotia and New Brunswick imported corn from the United States without the payment of any duty; but if you extend this measure to these new colonies, you compel them to impose a duty on the importation of wheat into them, and they have no flour of their own produce to send here. He was satisfied that these colonies would regard the extension of this measure to them as being a very trifling boon when you accompanied it with the condition imposed on Canada. The hon. and learned Member for Liskeard asked the other night why the Government did not apply this measure to Newfoundland, which obtained its supply of corn from the states on the Mississippi; and he made the observation, that Newfoundland lay midway between the Mississippi and this country. This might be so; but certainly no map that he had ever seen showed it. But if it were so, it was very strange that it did not find its way into New Brunswick, where it could be ground, and then imported into this country for little more than 1*s*. a barrel. The hon. Gentleman, however, had added, that it was very true, that these were not corn-growing countries. But independently of this, Prince Edward's Island had imposed a duty of 4*s*. on the importation of wheat into that colony, without any reference to this measure. This was a revenue act, and a revenue act only, and for the purposes of revenue only; but if other colonies chose to impose duties similar to those involved in this measure, the matter would be considered by the Government, and no doubt would be duly brought under the consideration of Parliament. He would, however, give no pledge on the subject, as he had strongly felt the inconvenience during the present Session of having done so. Could any man doubt it, that there were inconveniences in giving pledges, and that doing so materially interfered with the public business. He had said all along, that this was a measure which was of small importance as regarded its effect on agriculture, but the experience of the Session as to the inconvenience of making promises would make him very cautious for the future as to what he said of any measures to be hereafter proposed. As to the course, therefore, that her Majesty's Government would take with respect to the other colonies, he would not say a word; but special grievances with respect to Canada induced her Majesty's Government to introduce this measure, and they determined not to abstain from settling an important question, because that might raise a discussion with respect to other colonies, which at present could not be touched by the matter.

Sir *Charles Napier* observed, that a few nights ago he was simple enough to believe, on the authority of the noble Lord, that there could be no smuggling corn into Canada under this bill. Now he had consulted several officers who had served in Canada, who assured him that this was altogether a mistake. He found that this bill, although called a modified free-trade bill, would have the effect of demoralising the country and exciting all kinds of bad feeling between the American persons on this border on the one side, and the Canadians on the other. If any one would take up a map of America, he would see that there was nothing to prevent corn being brought down from the banks of Lakes Ontario and Erie by the canals and by the American floats, and when they passed from Cleveland and got along the American shore into the Lake of the Thousand Islands, nothing whatever could prevent smuggling. The noble Lord might send Admiral Bowles, and all the ships and all the steamers which they were about to send to Ireland, to Canada instead, and he could not prevent the smuggling of wheat from the United States into Canada. American corn would continue to go free of duty, as had been the case hitherto, into Canada; and as for the duty imposed in the colony, the truth was, that the Legislature of Canada had bamboozled the noble Lord, as he had attempted to bamboozle the country gentlemen.

Mr. *Wodehouse* thought the measure, as applied to English and Irish millers, was excessively unjust. He would not have made any objection to it as a measure of colonial beneficence; but he asked why was the experiment proposed in the present state of agriculture, and why should the experiment be made on agriculture alone? With respect to smuggling, he consulted Sir C. O'Donnell, who had been military secretary in Canada, and it was that gentleman's opinion, that it would be impossible to prevent smuggling under this bill. He complained, that certain friends of the noble Lord had covered him with a panoply of infallibility, which the noble Lord was not at all anxious, he believed, to wear. Sir Colquhoun Grant used to say on some occasions, "I do not wish to say a severe thing, but upon my soul, you are as great a scoundrel as ever I met." And when those friends of the noble Lord came round to him and told him that he had no weak point—that he could not err, he believed, that if the noble Lord followed the course of his own nature, he would say, "'Pon my soul, gentlemen, if such be your belief, you must be the weakest set of gentlemen that ever I knew." He thought the hon. Member for Kent was bound to explain for the sake of his constituents, his opinions on the bill.

Lord *Norreys* was anxious, before the debate was over, that the hon. Member for Wallingford should have an opportunity of repeating those attacks before the face of the right hon. Baronet at the head of the Government which he had made out of that House. The hon. Member said, the other night, that it was his intention to speak on the second reading of the bill, but he had not as yet ventured to repeat those attacks on the right hon. Baronet which he had made behind his back. He did not dare to make those attacks before the face of the right hon. Baronet which he had made at an agricultural meeting at Wallingford, which the hon. Member himself had convened. Notwithstanding the attacks which the hon. Member had made on the right hon. Baronet, he was surprised, after the Corn-bill had been before the House for an entire month, to see in the *Morning Post* the name of the hon. Member as present at one of the right hon. Baronet's parliamentary dinners. If he entertained feelings towards the right hon. Baronet similar to those which the hon. Member for Wallingford had expressed, he should not have gone and sat at the right hon. Baronet's table amongst his supporters at that parliamentary dinner. As he was coming down to the House, some lines occurred to him which reminded him of the hon. Member and the course which he had taken,—

> "Quid immerentes hospites vexas, canis
> Ignavus adversum lupos?
> Quin huc inanes, si potes, vertis minas
> Et me remorsurum petis?
> Tu cum timendâ voce complêsti nemus
> Projectum odoraris cibum."

And looking at the right hon. Baronet as—

> "Molossus aut fulvus Lacon."

The hon. Member might say to himself—

> "Cave, cave: namque in malos asperrimus
> Parata tollit cornua."

But why did not the hon. Member make his attack in the House of Commons? Why had he not fulfilled his pledge and risen in his place? Where did the hon. Member make his declaration? The House would be surprised, "and you, too, Sir," (continued the hon. Member, addressing himself to the Speaker), "will be surprised to hear that it was at your house. The hon. Member boasted, with great glee, that he was going to have some fun before Easter." A dinner was to be given, of that the hon. Member informed him, but he told the hon. Member that he would have nothing to do either with the hon. Member or with his dinner. A most flaming handbill was printed and posted; in that it was stated, in large and legible characters, that Mr. W. S. Blackstone had kindly consented to take the chair, and that other persons of consequence would attend. He did not know whether the hon. Member intended that as a puff for himself· Well, what took place at that meeting? It was said *in vino veritas.* Were the farmers told of the Canada Corn-bill? The Earl of Stanhope said, that the right hon. Baronet would not consent to any alteration in the Corn-bill. Was not, the noble Earl asked, the Canada Corn-bill an infraction of that pledge? Unless it was the object of the hon. Member that those who were present should go away from the meeting, the hon. Member should have risen up and stated the facts. That the noble Earl should not have known what the intentions of Government was, was not surprising, as that noble Earl was not a Member of that House. But the hon. Member pretended to be sensitively alive to the interest of agriculture, and he maintained that the hon. Member ought to have placed before the farmers the true statement of the case. The hon. Member, however, came down to the House and shifted the matter off his own shoulders. "It is not my own opinion," said the hon. Member for Wallingford, "but the opinion of the farmers." All he would say was, he who dared to whisper behind a person's back what he had not the courage to say in public to his face, was vilely, grossly, and foully guilty. He did not speak of the hon. Member, because the hon. Member denied the imputation. All he would say was, that the real delinquent had acted foully, grossly, vilely,—just as if any one had gone into Berkshire and said, "Do not you see and know what the Member for Wallingford (Mr. Blackstone) is at. A gentleman of Whig principles has lately bought a property in the neighbourhood. Mr. Blackstone feels that his seat is uncertain, and he wishes to satisfy you, the farmers, in order to secure that he may be hereafter returned as Member for the county of Berks." This was the cause of all the agitation that prevailed. By this course uncertainty was created, and a great depression of price was produced in the markets. Looking at the present bill, he thought it showed a great want of caution on the part of the Government to have postponed a measure of this kind. It appeared to him that the only change which this bill made was the adoption of a duty of 4*s.* instead of a duty of 5*s.* a quarter, and he would contend that the other shilling a quarter was made up by levying the duty in advance and the payment of the duty on a bulky article. If his noble Friend in bringing forward this measure were tampering with the Corn-laws of last year, he should have been the first to oppose him. This question had been greatly exaggerated and greatly misunderstood out of doors. When he heard his noble Friend (Lord Stanley) state that he brought this measure forward on his responsibility as a Minister of the Crown —as a measure of great importance to Canada, he could not for a moment doubt the course it was his duty to pursue, and would support the second reading of the bill.

Mr. *Blackstone* could assure the House, that he had had no intention of offering a single word on the present occasion, but or the pointedly personal manner in which he had been alluded to by the noble Lord. He would assure the House that on no occasion had he introduced — and on no future occasion would he introduce—personalities into any discussion in that House. He stood there as the representative of the feelings of his constituents, and he hoped that feebly as he might give utterance to those feelings, he did not think that for that he ought to be called in question by any Member of that House. His noble Friend, if he could be permitted still to call him so, had stated that he had expressed his intention to speak on the second reading of this bill: If the noble Lord had been present on that occasion, he thought he would have understood him differently. He had been led to say a few words on the first introduction of the measure, but he did not wish to address the House on any of the amendments, and wished to reserve himself until such time as the House would be called on to come to a decision on the principle of the bill itself. What he stated was, that he had no wish to express his opinion on the several amendments, but to wait until they came to discuss the general question. He trusted that he had so far set himself right with his noble Friend, the Member for Oxfordshire. He had been personally alluded to by the noble Lord, and he thought he could explain the reason. He met the noble Lord coming into the House, and asked him was he going to meet his friends at Woodstock—if he was going to attend the agricultural meeting which was to be held next week at Woodstock. He could tell the noble Lord, that the meeting to be held at Woodstock was not convened by him, and if the noble Lord went there, he would meet the assembled farmers, and if they approved of his conduct they would show it. He did not know what course the noble Lord might adopt, but the farmers of Oxfordshire would perfectly know who they had now returned to Parliament. The noble Lord had further stated that he had made an accusation against the right hon. Baronet at the head of the Government, which the noble Lord stated he (Mr. Blackstone) would not reiterate in that House. Now, he would reiterate that which he had stated at Wallingford. What he had stated was this, that the right hon. Baronet, at the head of the Government had been placed in his present proud position by the farmers of England, because they considered he would act in pursuance of the views and sentiments which they entertained, and that so far from doing this—and in saying this, he spoke not only his own sentiments, but those of thousands and tens of thousands out of doors—the right hon. Baronet, when placed in his present proud position, not only did not act, in pursuance of the views and interests of the farmers, but directly opposed their sentiments and wishes. He made this statement now, in the hearing of the right hon. Baronet, and of the noble Lord, the Member for Oxfordshire, and hoped that his words would not be misunderstood.

The House divided on the question, that the word "now" stand part of the question. Ayes 209; Noes 109;—Majority 100.

List of the AYES.

Acland, T. D.
A'Court, Capt.
Adare, Visct.
Adderly, C. B.
Aglionby, H. A.
Arkwright, G.
Astell, W.
Bagot, hon. W.
Baillie, Col.
Baird, W.
Balfour, J. M.
Baring, hon. W. B.
Bentinck, Lord G.
Bernard, Visct.
Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bowring, Dr.
Boyd, J.
Bradshaw, J.
Bramston, T. W.
Broadwood, H.
Brocklehurst, J.
Bruce, Lord E.
Buckley, E.
Buller, Sir J. Y.
Burroughes, H. N.
Charteris, hon. F.
Chelsea, Visct.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Clive, Visct.
Collett, W. R.
Collett, J.
Compton, H. C.
Conolly, Col.
Coote, Sir C. H.
Copeland, Ald.
Corry, rt. hon. H.
Courtenay, Lord
Crawford, W. S.
Cresswell, B.
Cripps, W.
Damer, hon. Col.
Dawnay, hon. W. H.
Denison, E. B.
Dickinson, F. H.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Drummond, H. H.
Dugdale, W. S.
Duncombe, T.
Dungannon, Visct.
East, J. B.
Eastnor, Visct.
Eliot, Lord
Emlyn, Visct.
Escott, B.
Fielden, W.
Fellowes, E.
Flower, Sir J.
Follett, Sir W. W.
Forbes, W.
Fox, S. L.
Gaskell, J. Milnes
Gladstone, rt.hn.W.E.
Gladstone, Capt.
Glynne, Sir S. R.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hn. Sir J.
Granby, Marquess of
Granger, T. C.
Greenall, P.
Greene, T.
Grimsditch, T.
Hale, R. B.
Halford, H.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H
Hardy, J.
Hatton, Capt. V.
Heathcote, Sir W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hillsborough, Earl of
Hinde, J. H.
Hodgson, R.
Holmes, hn. W. A.C.
Hope, hon. C.
Hope, A.
Hope, G. W.
Hornby, J.
Howard, P. H.
Hughes, W. B.
Hume, J.
Hussey, A.
Hussey, T.
Hutt, W.
Inglis, Sir R. H.
James, Sir W. C.
Jermyn, Earl
Johnstone, Sir J.
Jones, Capt.
Kelburne, Visct.
Kemble, H.
Knatchbull, rt.hn.Sir E
Lambton, H.
Law, hon. C. E.
Lawson, A.
Lincoln, Earl of
Lockhart, W.
Lord Mayor of London
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Mackinnon, W. A.
McGeachy, F. A.
Mahon, Visct.
Mainwaring, T.
Marsham, Visct.
Martin, C. W.
Marton, G.
Master, T. W. C.
Maxwell, hon. J. P.
Meynell, Capt.
Mildmay, H. St. J.
Miles, P. W. S.
Milnes, R. M.
Mordaunt, Sir J.
Morgan, C.
Morris, D.
Mundy, E. M.
Neville, R.
Newry, Visct.
Nicholl, rt. hn. J.
Norreys, Lord
Northland, Visct.
Packe, C. W.
Pakington, J. S.
Patten, J. W.

Peel, rt. hn. Sir R.
Peel, J.
Pennant, hon. Col.
Pigot, Sir R.
Polhill, F.
Pollington, Visct.
Pollock, Sir F.
Praed, W. T.
Pringle, A.
Rashleigh, W.
Reid, Sir J. R.
Roche, Sir D.
Rose, rt. hon. Sir G.
Round, C. G.
Round, J.
Russell, C.
Russell, J. D. W.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Seymour, Sir H. B.
Sheppard, T.
Shirley, E. J.
Smith, A.
Smith, rt. hn. T. B. C.
Smollett, A.
Sotheron, T. H. S.
Stanley, Lord
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Tennent, J. E.
Thesiger, F.
Thornhill, G.
Trench, Sir F. W.
Trevor, hon. G. R.
Trotter, J.
Turner, E.
Vane, Lord H.
Verner, Col.
Vivian, J. E.
Wakley, T.
Walsh, Sir J. B.
Welby, G. E.
Wellesley, Lord C.
Wilbraham, hn. R. B.
Williams, W.
Wood, Col.
Wood, Col. T.
Wortley, hon. J. S.
Wortley, hon. J. S.
Yorke, hon. E. T.
Young, J.

TELLERS.
Baring, H.
Fremantle, Sir T.

List of the NOES.

Allix, J. P.
Arbuthnott, hon. H.
Archbold, R.
Bankes, G.
Baring, rt. hn. F. T.
Barnard, E. G.
Barrington, Visct.
Barron, Sir H. W.
Baskerville, T. B. M.
Benett, J.
Berkeley, hon. C.
Blackstone, W. S.
Bodkin, J. J.
Broadley, H.
Browne, hon. W.
Buck, L. W.
Byng, G.
Byng, rt. hon. G. S.
Chapman, B.
Chetwode, Sir J.
Childers, J. W.
Colvile, C. R.
Cowper, hn. W. F.
Darby, G.
Dawson, hon. T. V.
Denison, J. E.
Dick, Q.
Disraeli, B.
Drax, J. S. W. S. E.
Duncombe. hon. O.
Dundas, Adm.
Du Pre, C. G.
Eaton, R. J.
Ebrington, Visct.
Evans, W.
Farnham, E. B.
Fitzmaurice, hon. W.
French, F.
Fuller, A. E.
Gisborne, T.
Gore, W. O.
Guest, Sir J.
Hall, Sir B.
Hallyburton, Lord J. F.
Hay, Sir A. L.
Hayter, W. G.
Heathcote, G. J.
Heneage, E.
Henley, J. W.
Henniker, Lord
Hill, Lord M.
Hoskins, K.
Jervis, J.
Jolliffe, Sir W. G. H.
Knightley, Sir C.
Langston, J. H.
Langton, W. G.
Layard, Capt.
Lefroy, A.
Leveson, Lord
Listowell, Earl of
M'Taggart, Sir J.
Manners, Lord C. S.
Manners, Lord J.
Marjoribanks, S.
Martin, J.
Martin, T. B.
Miles, W.
Mitcalfe, H.
Mitchell, T. A.
Morrison, Gen.
Murphy, F. S.
Murray, C. R. S.
Napier, Sir C.
Neeld, J.
Neeld, J.
Norreys, Sir D. J.
O'Brien, A. S.
O'Brien, J.
O'Connell, M. J.
O'Conor, Don
O'Ferrall, R. M.
Palmer, R.
Parker, J.
Pechell, Capt.
Plumridge, Capt.
Pusey, P.
Redington, T. N.
Rendlesham, Lord
Rushbrooke, Col.
Seymour, Lord
Sheil, rt. hn. R. L.
Sibthorp, Col.
Smith, rt. hn. R. V.
Smyth, Sir H.
Stanley, E.
Stewart, P. M.
Talbot, C. R. M.
Tancred, H. W.
Taylor, T. E.
Thorneley, T.
Trelawny, J. S.
Trollope, Sir J.
Turnor, C.
Tyrell, Sir J. T.
Waddington, H. S.
Watson, W. H.
Wodehouse, E.
Wood, B.

TELLERS.
Worsley, Lord
Stansfield, W. R. C.

Bill read a second time.

House adjourned at one o'clock.

HOUSE OF LORDS,

Friday, June 9, 1843.

MINUTES.] NEW MEMBER SWORN.—His Royal Highness the Duke of Cumberland (the King of Hanover.)

Reported.—Merthyr Tydvil Stipendiary Magistrates.

Private.—1ª· Fox's Estate; Earl of Gainsborough's Estate; Chalgrove Inclosure; Great Bromley Inclosure; Ballochney Railway.

2ª· Saltcoats Harbour; Bristol and Gloucester Railway; Glasgow Marine Insurance Company.

Reported.—South Eastern Railway Extension; Belfast Harbour; Forth Navigation; Sowerby and Soyland Inclosure; Neath Harbour; Liskeard and Caradon Railway; Piel Pier; Southampton Docks.

3ª· and passed:—Bannbridge Roads; Scarborough Harbour; Glasgow Paisley and Greenock Railway; Lord Gray's Estate.

PETITIONS PRESENTED. By the Bishop of Chester. from Stockport, against the Union of the Sees of St. Asaph and Bangor.—By the Earl of Bandon, from Bandon, against the Repeal Agitation in Ireland.—By the Earl of Rosebery from Linlithgow, for better Remuneration of Scotch Schoolmasters.—By the Duke of Richmond, from Chichester, for Medical Reform.—From a Law Society, against the Bankruptcy Act.—From Oxford, Piddington, and Stoken, for Church Extension.—From the Clergy of York, in favour of Church Rates.—From the Mechanics Institution of Chichester, for Exemption from the Payment of Rates and Taxes.—From Sheffield, for Restoring the Irish magistrates that have been dismissed from the Bench.

LORD ELLENBOROUGH — VOTE OF THANKS.] The *Lord Chancellor* acquainted the House that he had received from Lord Ellenborough, the Governor-general of India, the following letter, in return to the thanks of the House communicated to his Lordship by the Lord Chancellor in obedience to an order of the House of the 20th of February last.—

"*Agra*, 21st. *April*, 1843.

"My Lord Chancellor,—I have had the highest satisfaction in communicating to the army engaged in the late campaign in Affghanistan, the unanimous thanks which have been voted to it by the House of Lords.

"It is gratifying to me that their Lordships should have thought fit to acknowledge the part I had in supporting the military operations.—I have the honour to remain,

"My Lord Chancellor,

"Your Lordship's most obedient servant,

"ELLENBOROUGH."

"The Right Hon. the Lord High Chancellor."

PRINCESS AUGUSTA OF CAMBRIDGE.—MESSAGE FROM THE QUEEN.] The *Duke of Wellington* announced that he had a message from her Majesty, which was read by the Lord Chancellor, as follows:—

"V. R.—Her Majesty thinks it right to acquaint the House of Lords that she has given her consent to a marriage between her Royal Highness the Princess Augusta Caroline, eldest daughter of his Royal Highness the Duke of Cambridge, and his Royal Highness Frederic Hereditary Grand Duke of Mecklenburgh Strelitz.

"The many proofs which the House of Lords has afforded of affectionate attachment to her Majesty's person and Family, leave her Majesty no doubt of their readiness to enable her Majesty to make a suitable provision for her Royal Highness on this occasion.

Message to be considered on Tuesday.

DISMISSAL OF MAGISTRATES (IRELAND).] The Marquess of *Clanricarde*: In asking the question of which I have given notice, there is not, I think, much apology due, in the present state of Ireland, not only from any one connected with that country, nor would there be from any Member of this House who may desire to know distinctly the grounds on which the Irish Government have taken the step to which I mean to allude. I therefore rise to ask a question, the object of which is, to ascertain distinctly on what principle the Irish Government have proceeded, and are proceeding, in dismissing certain gentlemen from the commission of the peace in Ireland, and from the office of deputy-lieutenants. I shall make no comments on these proceedings, my object being to obtain information as to the facts. In order to make my object clear, I shall have to point out certain discrepancies in letters addressed by the Lord Chancellor of Ireland to the magistrates I have referred to, and which certainly involved the views of the Government in such obscurity, that we ought to hear on what principles they have determined to act. In the letter addressed to Lord Ffrench, to which I felt it my duty to call your Lordships' attention some time back. It is stated:—

"It has been his earnest desire not to interfere with the expression of opinion by any magistrate in favour of repeal, although from his first arrival here he deemed it inconsistent with the determination of her Majesty's Government, to uphold the Union between Great Britain and Ireland, to appoint as a magistrate any person pledged to a repeal of that Union. Her Majesty's Government having recently declared in both Houses of Parliament their fixed determination to maintain the Union, it becomes the duty of the members of the Government to support that declaration."

And the whole matter is wound up thus:—

"This view of the case, which the step taken by your Lordship has forced upon the attention of the Lord Chancellor, will compel him at once to supersede any other magistrates who, since the declarations in Parliament, have attended like repeal meetings."

I do not mean to make any commentary on this, for I think it is pretty clear from it what the intention of the Government then was. It is dated the 25th of May, and on the 29th May there is another letter addressed to Mr. Otter, in which there is this phrase:—

"If you had confined yourself to a statement of the grounds of your resignation, the Lord Chancellor would have been anxious to satisfy you that Government had not any intention to interfere with the constitutional right to assemble and petition for the repeal of any act of the Legislature."

It is impossible not to see that those words allude to the act of Union. Now, I certainly did understand from the former letter, that after the declarations of her Majesty's Ministers in Parliament, every magistrate who took part in the repeal agitation, was to be dismissed; yet the letter which I have just read would lead to a contrary conclusion. But, my Lords, that is not all, for it appears that a letter was addressed to Mr. Clanchy, inquiring whether or not he attended a repeal dinner. His answer is, that he did attend a dinner to Messrs. O'Connell and Roche, the representatives of his county. This is his letter:—

"Charleville, 24th May, 1843.

"Sir—In reply to your letter of the 23rd instant, I beg to state, for the information of the Lord Chancellor, that I did attend a dinner in Charleville on the 18th instant, given to Messrs. O'Connell and Roche, at which were persons differing in opinion on the subject of repeal, as well as on other matters of politics. Messrs. O'Connell and Roche are representatives in Parliament for this county. I supported them at the last general election, I purpose doing so (please God) at the next. Neither at this dinner, nor at any meeting, have I given any opinion on the act of Union, perhaps because my ideas on that question may not be as yet perfectly founded. But this I will say, that my intentions are to support such measures only as will promote the interests of Ireland, and at the same time strengthen and preserve the British connection.—Your obedient servant,

"H. Sugden, Esq. D. CLANCHY."

Now, it is impossible to say of this dinner, as was said in the letter to Lord Ffrench, that "it had an inevitable tendency to outrage;" because whether the dinner was given to the representatives of the county, or was a mere repeal dinner, it was absurd to say that it had an inevible tendency to the breach of the peace. There must be a total change in all our habits and proceedings before such maxims are laid down for the conduct of public meetings. I am sure that, generally speaking, the Government would not so act. It is evidently considered, that a mere expression of opinion on the subject of Repeal of the Union, justifies the dismissal of a magistrate, though the Lord Chancellor of Ireland had previously said, that he would not interfere with the expression of opinion as regards an Act of Parliament. There is, besides, the case of Colonel Butler, whose offence is, that he could not attend a repeal meeting, as he was confined to his bed. It is quite clear, then, that the mere expression of an opinion favourable to repeal is deemed a justification for dismissal. Now I am not saying, that the grounds thus alleged are right or wrong; but I do think that at this particular moment, the Irish Government (but when I say the Irish Government, I mean, of course, the Ministers who are responsible for its acts), should let the country know clearly what they mean, and on what principles they are proceeding, in what is already grave, and may be a graver matter—the dismissal of magistrates in Ireland.

The *Duke of Wellington*: My Lords, I am very much obliged to the noble Marquess for explaining the object of this question, I certainly was not aware of the letters to which the noble Lord referred; but he has been so kind as to state to me in writing, that he intended to inquire on what principle these magistrates and deputy-lieutenants have been dismissed from their offices, and to that question I am prepared to give an answer. These Gentlemen having been some of the persons to instigate and encourage the assembly of those large meetings in Ireland, on which the first law authority had pronounced in writing the opinion that they had "a tendency to outrage;" that "they were not in the spirit of the constitution, and may become dangerous to the State;" the Lord-lieutenant or the Government could not feel any confidence in the performance of their duties by these magistrates and deputy-lieutenants, who had thus excited these meetings, or who presided at them, or who even attended them. Your Lordships are perfectly aware that on one occasion it was proved that these meetings had a tendency to outrage—indeed, outrage was actually committed. I told your Lordships on a former occasion that there was a great difference of opinion in Ireland on the subject of the repeal of the union. Now, suppose that two assemblies representing such opinions assemble on the same occasion and in the same neighbourhood, why it is obvious that outrage and bloodshed may occur, and it must be likewise obvious that those magistrates and deputy-lieutenants are not officers on whom the Lord lieutenant can rely for carrying into execution measures for the repression and suppression of outrage which he may think proper to take on such an occasion. My Lords, I have besides to observe to your Lordships, that for a very considerable period of time it has been a matter of notoriety in Ireland that the Members of her Majesty's Council, her Majesty's servants in this and the other House of Parliament, declared it to be the positive and fixed determination of the Government to maintain inviolate the legislative union between the two countries. Some of the most distinguished Members of both Houses of Parliament declared, in their places, that they had the same intention; and this declaration of opinion has been communicated to the public more than once, and in no one instance, as I believe, has there been an intention avowed to promote the object of this repeal of the union. Well, then, what must be inferred from the notoriety of that fact? What but that the repeal of the union, so far as a vote of Parliament is concerned, is hopeless? It is to be carried, then, by intimidation, by force, and violence, and of course, as the Government, whose duty it is to resist and repress such acts of intimidation, force, and violence, whenever they should be attempted, by all the means at their disposition, cannot use such instruments as those who excite the people to appear at their head, the Lord-lieutenant and Lord Chancellor have taken measures to remove them from the commission of the peace, and deputy-lieutenancies of their several counties. This is the principle, my Lords, on which I conceive that the Government has acted. Indeed, there can be no doubt of it. The letters from the learned Judge at the head of the Court of Chancery in Ireland state that there is no desire on the part of Government to prevent any Gentleman from entertaining any opinions he may think proper to adopt upon the subject of the repeal of any Act of Parliament. No one can desire to do any such thing: but what we say is, that we must endeavour to preserve the peace of the country notwithstanding those large meetings—meetings having a tendency to outrage and violence—and, in doing so, we must make use of instruments such as there are in Ireland, and we cannot make use of the services of those who incite the people to assemble at such meetings, and who preside over them.

Earl *Fortescue* said, he did not rise to offer any observations upon what had fallen from the noble Duke, but merely to correct a misrepresentation which had been made in his absence, both in that House and in another place, with regard to expressions he had used, and acts done by the Government of which he was, for some time, the head in Ireland. He understood it had been stated in substance in that House, that if precedents were wanted for what he must call the extraordinary proceedings taken by the Lord Chancellor of Ireland—that if precedents were wanted to justify those proceedings, they could be found in the declarations made by him, and in the acts done by the Government of which in Ireland he had been the head. Now, he held in his hand a correct copy of the report taken at the time of the declaration which had been referred to in that as well as the other House of Parliament, and he hoped to have their Lordships' indulgence whilst he read that part of it which had reference to the subject of the Repeal of the Union. The occasion upon which the speech in question had been made was the presentation of the Lord Mayor of the city of Dublin to the Lord-lieutenant—a ceremony which the Municipal Bill had done away with. Before the passing of that measure, however, it had been the custom for the Lord-lieutenant to address himself to the Lord Mayor on being so presented; and he begged to state that, besides the agitation then carried on by the Repealers, he had an additional motive for making the observations to which he begged to call attention, because he had been informed—he could not say how truly—that a portion of the old corporation had expressed sentiments favourable to repeal. After expressing in the strongest and most distinct terms his determination, and that of every Member of the then Government, to maintain the union between the two countries—after stating his conviction that its repeal could not be obtained by legal and constitutional means, and that even if it could be obtained, it would be fraught with equal calamity to both parts of the United Empire, he had proceeded to use the following words:—

> "Need I say, entertaining as I do these opinions, that I have felt it to be my duty to discourage and discountenance, by all legal and constitutional means, the agitation of the Repeal question? Need I say, that I shall withhold all the Government favour and patronage which Administrations are entitled to confer upon their supporters from all those who take a part in this agitation, no matter what claims they may have, upon other grounds, to the good will of the Government? And if I have not had recourse to stronger means or more decided measures for the discountenancing or the suppression of the agitation upon this subject, it is certainly from no sympathy upon my part with the object or the feelings of those who are embarked in it; but because—although most strongly deprecating the agitation—I continue to feel the same respect I have always entertained for the constitutional right of the people, openly to meet, and freely to discuss any acts of the Legislature which they may consider. however erroneously, prejudicial to their interests, or the interests of the country; so long as that discussion is carried on in a proper manner, with the view of obtaining, by legal and constitutional means the consent of the Legislature to the alteration or repeal of any particular act of Parliament—the only object to which the agitation in the present instance is declared to be directed. It is from these causes that, although entirely disapproving, the object of those meetings, and the sentiments expressed at them, more particularly with regard to our foreign policy, that I, at the same time, have not yet considered any danger likely to arise from

those meetings to be such, or the sentiments expressed at them to have produced any such effect upon the general tranquillity of the country, as to justify the interference of the Executive for their forcible suppression, or a recourse to measures which, if not of paramount necessity, are often calculated to foment the spirit which they seek to allay, and to increase the mischief which they were intended to cure."

Acting up fairly to the spirit of that declaration, he had given no portion of the Government favour or patronage to any person who had taken part in that agitation, but, at the same time, it never had been in his contemplation to take from any person, in consequence of his opinions, the situation he held; and he was sure their Lordships would agree with him in thinking, there was a wide distinction between withholding an appointment and withdrawing it, between refusing to confer an office, and taking it away. He had been anxious to set himself right on this subject, and he trusted this explanation would have that effect.

Lord *Brougham* said, that undoubtedly great excitement prevailed amongst those who held that the people of this realm had a right to assemble in public meetings to petition for the redress of grievances, but it should not be forgotten that the grievous abuse of this right might end in bringing it, in the first place, into contempt; next, into apprehension, and finally, if not in jeopardy, at least into desuetude. He had more than once expressed his decided opinion that the principles which any man entertained—his being free to express them on any measure, however wild and impracticable—his being free to express them on any measure, however hurtful in its tendency, provided he gave vent to them in a peaceful and becoming manner, like a good subject of the Crown, was no ground whatever for fixing any stigma on that person on the part of the executive Government. He had gone further, and in doing so had had the misfortune to differ from his noble Friend who had just sat down, and who had so well administered the Government of Ireland, in the view his noble Friend had taken of the repeal question, when his noble Friend stated, as he had repeated to-night, that whoever chose to entertain those opinions must in vain look to the Government for favour or patronage. [Earl *Fortescue*.—No; whoever took part in the agitation for repeal.]—That was a very different matter. Taking part in agitation might be a pernicious act, and an act deserving more than discountenance and frustration of purpose. If the agitation were of a plainly illegal and perilous nature,—illegal would not be enough,—if it were of a perilous nature, it would afford a sufficient vindication of the course taken by his noble Friend. But he understood that his noble Friend went further, declaring that any one who took part in agitating for repeal would in vain look to him for promotion. But had his noble Friend forgotten that a Member of the other House was promoted to a very high place, although he was known to be a member of the Repeal Association, and was actually the teller of that very small minority when one English Member was found to vote in favour of that object? It was not, therefore, for holding an opinion, but for taking part in public agitation, that his noble Friend withheld patronage. But, with regard to public meetings, if they must be held, they must at least have some colour of being meetings for discussion and deliberation. He had no fear, he never had indulged any fear, of the people of this country assembling according to their undoubted right to discuss their grievances, to discuss and claim their rights, to discuss the measures of their rulers, and to discuss measures of former legislators, and to call aloud for new measures of legislation, and to call aloud for the repeal of former measures of legislation. He was not the man to doubt their right so to meet; he was not the man to feel alarm at their exercising such right of meeting; but then it must be a *bonâ fide* right to meet, and a *bonâ fide* meeting in circumstances making it at least within the bounds of possibility that discussion, and deliberation, and due consideration of the measures or the grievances, or the repeal of former measures, might be the object of that assembling of the people. But talk of 200,000 or 300,000 persons meeting to discuss and deliberate! to deliberate, and argue, and reason with one another! Why, the idea was so preposterous that it almost converted into something of the ridiculous—of the ludicrous, a matter which in itself was but too serious. He would not be understood to believe all that he was told of the numbers attending those meetings, when he was told that a person had addressed, and boasted of having addressed, between 200,000 and 300,000 persons at once, who all heard what he said! [A noble *Lord*.—500,000.]

He believed his noble Friend was right in what he mentioned. 500,000 had been boasted of, but he believed, having had some experience, that it was absolutely impossible; it could be nothing short of a miracle. The human voice, human lungs, human ears, all made it impossible for one man to speak to be heard by every member of such immense assemblies. But it was quite enough to hear of an assemblage of 150,000 persons—and that he believed was not over the mark—to induce him to implore their leaders—to induce him to lift up his voice, in the hope, at least, of its being heard in its echoes by them—to implore them, as a friend of the rights of the people, as an advocate for the right of public meeting, as a friend, an avowed and consistent friend of the exercise by the people of the right to meet, to deliberate, and discuss their claims or their grievances—in that capacity he did implore them and their dupes who attended those meetings, not to be led away by vain imaginings, that anything but one thing could by possibility be the object of these assemblages—and that object was not really deliberation—not discussion—not reasoning, not reflective consideration, but to make demonstrations of power, exhibitions of physical force, assemblages intended to intimidate the peaceable and well-disposed, and to make it appear, what in his conscience he believed not to be the truth—that there was no voice raised in Ireland against the dismemberment of the empire. He had said before, that it was his perfect belief that such was the object of these meetings, and all that he had since seen and heard of them, had confirmed him in that opinion.

Their Lordships adjourned shortly after six o'clock.

HOUSE OF COMMONS,

Monday, June 9, 1843.

Minutes.] Election Petition. By Lord John Russell, from Durham, against the undue election for that Borough of Lord Dungannon.

Bills *Public—.Committed.*—Poor Relief (Ireland).
Reported.—Pawnbrokers Trade (Ireland)
Private.—2°. Todhunter's Divorce; Drumpeller Railway.
Reported.—Northampton Improvement; Balfour's Estate; Sutherland Roads; Kendall's Divorce; Plymouth Roads; Carriages and Boats Regulations; Topsham Improvement; Admiralty Lands.
3°. and passed:—Great Bromley Inclosure.

Petitions Presented. By Sir G. Staunton, from the Coroners of Bucks, for Better Remuneration.—By Messrs. Trelawney, R. Yorke, Busfield, Hindley, C. Berkeley, Scholefield, Watson, Allix, B. Wood, Attwood, W. Ellis, Forster, Brocklehurst, and Cobden, Lords J. Russell, and Pollington, Dr. Bowring, Sir J. Hanmer, and Colonel G. Langton, from a great number of places, against, and from twelve places, in favour of the Factories Bill.—From Sowerby and Bradford, for further Limiting the Hours of Labour in Factories.—By Mr. T. Duncombe, from Cooper and other Chartists, for better Treatment in Gaol; and from Bridport and other places, for Inquiry into the Treatment of Political Offenders.—From Peterhead, for Amending the Act relating to the Merchant Seamen's Fund.—From two places, for the Repeal of the Roman Catholic's Relief Act, and against any further Grant to Maynooth College.—From Rochdale, for some means to abate the nuisance of Smoke from Factories.—From Cheltenham, Horbury, and St. Olaves, (Southwark) against the County Courts Bill.—From Rothley and other places, for Inquiry into the Allotment System.—From Derby, for Carrying out Rowland Hill's plan of Post Office Reform.—From Birmingham, for the Repeal of the Union.—From Peter Campbell, against the Irish Arms Bill.—From Sheffield, for reinstating the Irish Magistrates who have been dismissed, into their offices.—From an Anti-slavery Society, for further Inquiry into the Slave Trade.—From Dundee, for abolishing the exclusive Privileges of Guilds and Incorporations of Scotland.—From Cheltenham, in favour of the Scientific Societies Bill.—From Whitburn, Sabden, Hamilton, and Falkirk, for the Total and Immediate Repeal of all Corn and Provision Laws.—From St. Albans, Redburn, Codicote, and Hexton, for for Church Extension.—From Medical Officers of Workhouses in Ireland, and from Tipperary Union, against the Poor Relief (Ireland) Act.—From Devenish, and other places, against any further Grant for Education (Ireland).

Lord Ellenborough—Thanks of the House—India.] The *Speaker* said, he had to acquaint the House that he had received a letter from Lord Ellenborough, the Governor-general of India, acknowledging the receipt of the thanks of that House to the officers and men engaged in the late campaign in Affghanistan, which, with the permission of the House, he would read. The right hon. Gentleman read the letter as follows—

Agra, April, 21. 1843.

"I have had the highest satisfaction in communicating to the army engaged in the late campaign in Affghanistan, the unanimous thanks which had been voted to it by the House of Commons.

"It is gratifying to me that the House should have thought fit to acknowledge the part I had in supporting the military operations."

I have the honour to remain,
Sir,
Your most obedient Servant,
Ellenborough.

The right hon. the Speaker
of the House of Commons.

Ordered to be entered in the Journals.

Church of Scotland.] Sir *A. L. Hay* asked whether it were the intention of her Majesty's Government to introduce any measure in the present Session to regulate the settlement and endowment of *quoad sacra* ministers in Scotland, and whether it were intended to ask any grant of public money for the purpose of such endowments?

Sir *James Graham* said, that it was the intention of the Government in this Session to bring in a bill for the purpose of better supporting large parishes in Scotland, and for facilitating the endowment of ministers, but it was not intended to make any application to Parliament for any grant of money for that purpose.

MESSAGE FROM THE QUEEN—PRINCESS AUGUSTA OF CAMBRIDGE.] Sir *R. Peel* announced that he had a Message from her Majesty. It was brought up and read from the Chair as follows:—

"VICTORIA R.—Her Majesty thinks it right to acquaint the House of Commons, that she has given her consent to a marriage between her Royal Highness the Princess Augusta Caroline, eldest daughter of his Royal Highness the Duke of Cambridge, and his Royal Highness Frederick, Hereditary Grand Duke of Mecklenburgh Strelitz.

"The many proofs which the House of Commons has afforded of their affectionate attachment to her Majesty's person and family, leave her Majesty no doubt of their readiness to enable her Majesty to make a suitable provision for her Royal Highness on this occasion." *V. R.*

Message to be taken into consideration on Monday.

DISMISSAL OF MAGISTRATES. (IRELAND.)] Mr. *Wyse* said, that he would now repeat the question he had put to the right hon. Baronet the Secretary of the Home Department on a former evening, and which he then declined to answer without formal notice. Mr. Clanchy, of Charleville, in the county of Cork, in a letter, on the 24th of May, in reply to a communication addressed to him by Henry Sugden, esq., secretary to the Lord Chancellor, asking him whether he had attended a repeal dinner at Charleville on the 18th instant, had stated—

"That he did attend a dinner at Charleville on the 18th, given to Messrs. O'Connell and Roche, at which were persons differing in opinion on the subject of the Repeal, as well as on other matters of politics—that Messrs. O'Connell and Roche were the representatives in Parliament whom he had supported at the last general election, and purposed doing so at the next—that neither at this dinner nor at any meeting, had he given any opinion on the act of union, but that his intentions were to support such measures only as would promote the interest of Ireland, and at the same time strengthen and preserve the British connection."

He had further been informed that at that dinner the usual toasts had been given, but not that of the Repeal of the Union. Now having this statement before him, the question he had to ask the right hon. Baronet was, whether Mr. Clanchy had received a supersedeas on the 28th, subsequent to this explanation, and on what grounds he had been thus peremptorily removed from the commission of the peace?

Sir *J. Graham* had made inquiries on the subject, in consequence of the question which had been put to him on a former evening by the hon. Gentleman, and the result of that inquiry was the information that a meeting had been held at Charleville on the morning of the 18th of May, and that it was succeeded by a dinner in the evening, and that the only justice of the peace present at that meeting and dinner was Mr. Clanchy. That dinner and meeting had been designated by Mr. O'Connell as a Repeal meeting and dinner. In consequence of the attendance of Mr. Clanchy at that dinner the Lord Chancellor of Ireland had thought it necessary to remove him from the commission of the peace.

Mr. *Wyse* wished to ask the right hon. Baronet was this course of proceeding on the part of the Government to be considered as the precedent by which they intended to rule their conduct in future, in reference to the magistracy of Ireland.

Sir *J. Graham* had already stated that in each case of magistrates openly manifesting themselves in favour of Repeal, the decision would be made by competent authorities, and according to the circumstances of each case.

AMENDMENT OF THE POOR-LAWS.] Mr. *R. Yorke* wished to ask the right hon. Baronet whether, considering that they were then in the month of June he intended to discuss an improved Poor-law at large, and if he did, when?

Sir *J. Graham* hoped the House would do him the justice to remember that he had never intimated any intention to introduce a measure the object of which would be to operate a large change in the exiting law. On the other hand, several clauses were postponed last year, and he did promise that those clauses should be introduced in the course of the present year, in the shape of a new bill. It was impossible, however, for Government to bring forward its measures, when adjourned debates made the postponement of important Orders of the Day unavoidable, as had often been the case during the present Session. He was quite prepared to re-introduce the clauses to which he had referred relating to the Gilbert Unions, to an improved system of education for pauper children, and to some regulations respecting Poor-law guardians.

RIOTS NEAR DUNGANNON.] Mr. *Ross* wished to know from the noble Lord, the Secretary for Ireland, whether the Government had received any official account of the outrages committed by an Orange mob against some Roman Catholic inhabitants of the vicinity of Dungannon; and whether it was in contemplation to introduce any measure to curb the violence of those partisans?

Lord *Eliot* said Government had received accounts of the outrages of which the hon. Member spoke: they were shortly these: a meeting of persons, inhabitants of the neighbourhood of Dungannon, assembled at that town for the purpose of petitioning Parliament against the Repeal of the Union. While so engaged, information was brought to them, that a small party on their way to take part in the proceedings, had been assaulted and beaten at the village of Carland, a few miles from that town. On hearing this, a small body of the meeting, consisting of 400 or 500 persons, repaired to the village, and not finding the persons who had been the aggressors, wreaked their vengeance on the Houses. A good many of these were more or less injured, but the amount of the damage done to the property had been very much exaggerated. The whole of the damage done to the property did not exceed 85*l.* He was not, for a moment, about to extenuate the character of an outrage of this sort; but, on the other hand, he thought it right that it should not be over-stated or exaggerated. Government had taken all the measures in their power, to apprehend the offenders, and bring them to justice, and rewards had been offered for that purpose. The police had arrived on the spot within five minutes of the commencement of the disturbance, and order was immediately restored. The military had been sent for immediately afterwards, but their presenc was not required.

Sir *V. Blake* said, the proclamation issued by the Government mentioned, that considerable injury had been done to the houses in the village. Hon. Members would be astonished to learn, that this considerable injury was neither more nor less than the razing to the ground of forty-eight houses.

Lord *J. Russell* thought the only course Government could take in a case of this kind, was to prosecute the persons who violated the law. If they were Roman Catholics who assaulted Protestants going to a public meeting, they should be prosecuted; and if there were persons calling themselves Protestants, who destroyed the houses of Roman Catholics, the law should at the same time be vindicated, and put in force against them. What the noble Lord said as to the value of the property destroyed might be misunderstood. Though the cabins which had been wrecked might only be roofed with straw or thatch, yet that was no measure of their value in the eyes of their owners; the loss might be as great to the inhabitants of one of them, as that of the most valuable mansion would be to its proprietor.

Lord *Eliot* was obliged to the noble Lord for giving him an opportunity of explaining. It was stated in the newspapers, that the houses in question had been razed, and that account seemed to have reached the right hon. Baronet opposite. He held in his hand an account of the damage done to each particular house, which stated: in one, a pail broken; in another, three or four shelves; and so on. He admitted, that destruction of property had taken place to an extent very serious to the poor people in question; but he made this statement to show that the damage had not been of such extent and magnitude as was represented in the newspapers. It had not extended to the razing of houses, but was confined solely to the destruction of certain household property.

Subject at an end.

EXPEDITION TO WATERFORD.] Sir *H. W. Barron* wished to put a question as to an occurrence which had created great excitement in the city of Waterford. On Sunday last, a war-steamer had come up the river, to the great surprise and alarm of the inhabitants of the city and neighbourhood, and landed a large armed force with bayonets fixed, and the officers with their drawn swords; and the first question asked by the officers, on their landing, was, "Where are the rebels?—are the barracks taken?" All this created very naturally an extraordinary degree of excitement in that most peaceful district. He wished to ask the noble Lord if he could give the House any information as to the cause of this military expedition into so peaceful a neighbourhood?

Lord *Eliot* thought there was no foundation whatever for saying that the officers had asked, "Where are the rebels?" and that this was merely one of the embellishments of the story. The fact was, that the Commander-in-chief had received such information as induced him to think, that some addition to the garrison of Waterford was necessary. He recommended that such an addition should be made, and the troops were despatched to Waterford accordingly. He believed it was not found necessary that this addition should be permanent, and they had subsequently returned to Dublin.

Canada Corn-Law.] The Order of the Day for a committee of the whole House on the Canadian Wheat Bill having been read,

On the question that the Speaker do leave the Chair,

Mr. *Lawson* said a few words in support of the bill.

Mr. *Hume* was glad the hon. Member had had an opportunity of expressing his opinion that the bill would be beneficial both to agriculture and manufactures. He was only sorry the advantage to the country would be so small. The question was solely one of principle. The right hon. Baronet had said he would stand by a sliding-scale, but this measure was a complete contradiction to this declaration, and showed that the cabinet, as regarded the Corn-laws, were completely divided. He thought this bill would make no very great change, one way or other; but as the Canadians wished to have it, he regarded it as a politic and wise measure, though, as far as the country gentlemen's interests were concerned, it would affect them very little. Other causes were at work, which would affect them in a very different way, and they would have reason to regret the obstinacy with which they had supported monopoly from other causes than the Canada Bill. His object was to call the attention of the right hon. Baronet to the effect of the corn monopoly in interrupting the intercourse which England ought to carry on with the civilised world. That was the great evil by which commerce, at the present moment, was so straitened and shrunk. It would be true wisdom and policy in the agriculturists to extend the principle of this bill to all corn coming direct from the United States. If they did not extend the market for British goods, trade would still further decline, there would be no means of finding employment for our increasing population, and there would be no return to the agriculturist for his capital. Look to the present state of our manufactures, even that of cotton, in which we most excelled. Something was to be learned from the circumstances connected with the seizure of 400 bales of calico lately imported from the United States. It was important to the commercial interests to know that so great was the progress which America had made in the cotton manufacture, that the export from the United States of the coarser qualities, was greater than that from England. Even at this moment Bengal was receiving them from America, though paying duty double that on English goods. Instead, however, of any measure being proposed to relieve us from our difficulties, there was a proposal to increase the taxes, and he hoped the House of Commons would not consent to such a monstrous demand. It was an insult to the people to squander away their money in supporting new branches of the royal family. Of what use was it that Ministers should act as the leaders of the House with a large majority at their backs, if they were afraid to give effect to those principles which they had declared to be just? The Canada measure would do nothing to relieve our difficulties. He called on the right hon. Baronet to take into consideration the state of the whole commerce of the country. To look before him in time, and not to suffer its energies to be undermined in every quarter of the globe. Look at Ireland, into which Government were pouring troops, without any reason. They were treating Ireland as they had done Canada, before the revolt. Let them do justice to it, as they now did to Canada, and they would not require that increase of military force which would add to the public expenses and to our financial difficulties. He thought it most discreditable to a strong Government, that they should shrink from bringing forward the measures they knew to be called for, when they had the power of carrying them.

Mr. *G. Palmer* designated the bill as most mischievous to the agricultural interest. As the House had allowed the second reading, he would not oppose the present stage, but he wished to know by what provision the noble Lord would prevent American flour from being brought into this country under the pretence of being of Canadian manufacture. He contended it would be impossible to do so. The admission of American corn free of duty, flour being excluded, would not be half so injurious as this measure. No corn would be introduced by the bill, but flour only. Now American flour, after having paid the duty, would be better six months after it had been ground than any English wheat that could be produced. What was the cause—whether it were attributable to the climate he knew not—but it was the fact, that American flour, three years after importation, was as perfectly good in quality as if it was just out of the mill; but he should like to see the English flour that would be good six months after grinding.

Lord *Worsley* did not feel justified in offering further opposition at this stage of the bill.

Colonel *Sibthorp* expressed his regret at being compelled to vote against the Government on this occasion, and expressed his intention of taking the sense of the House on the third reading of the bill. He believed that the right hon. Baronet meant well; but he must be pardoned if he said that he believed in this instance the right hon. Gentleman erred in his judgment.

House in committee on the bill—bill passed through the committee.

The House resumed. Report to be received.

POOR-LAW (IRELAND).] On the question that the Speaker do leave the Chair for the House to go into committee on the Poor Relief (Ireland) Bill.

Mr. *Redington* rose to move, that the bill be referred to a select committee. Having closely watched the operations of the existing law, he by no means desired to obstruct the passing of the present bill during this Session; on the contrary, he was satisfied that the present Session should not be allowed to pass without adopting many and important alterations, with the view of rendering the whole measure palatable to all classes of the Irish public. Some change of the existing law was absolutely necessary; but he also thought that the bill now introduced required several alterations and amendments. He had been in favour of the original law, and of the principle on which it was based, because he had felt that some large measure of statutory relief was required in the great and wide-spread destitution of the lower classes in Ireland. He had been in favour also of those clauses of the original bill which had conferred on the commissioners great and most extensive powers, but he had been much disappointed; and for the sake of the principle of the bill itself he much regretted the fact, at the manner in which the commissioners had exercised the powers reposed in them by the act. He had not been one of those who expected that the measure would have been received with much favour by the great body of the people, inasmuch as it was in character new to them, and it brought considerable additional taxation, which could not fail to create some degree of discontent in the already impoverished condition of that country. But when he saw how the act had been worked out, he felt that the greatest operation had been made to countervail the benefits of the principle, and was calculated in the greatest degree to increase and perpetuate discontent. The instances were numerous, in which the powers vested in the commissioners had been most unwisely and arbitrarily exercised. To go through all those cases in detail would exceed the patience of the House, but he might be permitted to advert to a few. In very many instances, the sites for the union workhouses had been selected by the commissioners, and taken or purchased by them on most exorbitant terms, as compared with the value of lands in the immediate neighbourhood—and those expensive sites had been chosen and taken without the concurrence of the boards of guardians, and in some case before the boards were actually aware of any such intention. Again, the workhouses had been erected upon a scale of unnecessary splendour, and had entailed on the unions enormous expense—this, too, without the concurrence of the guardians—and when the respective boards complained or remonstrated, their complaints and remonstrances procured them no redress; from the arbitrary decision of the commissioners there was no relief. It must have struck the commonest observer, whether a resident or a temporary sojourner in Ireland, that the Poor-law workhouses had been erected on the most expensive and magnificent scale—they stood forth in painful contrast with the dwellings of the people among whom they were placed. In fact, the dwellings of even the wealthier classes in Ireland could not pretend to compete in style and expense with those workhouses. Such was not the case in England, nor should it be the case in any country. No private individual ever managed his own affairs with less prudence or economy, than had the Poor-law commissioners managed the important interests entrusted to them. In some instances, the building of the workhouses had exceeded the original estimates by sums so large as 1,500*l.* and 2,000*l.* And this great additional expenditure had been incurred without the concurrence, nay, often without the previous knowledge of the boards of guardians. Another great objection to the conduct of the commissioners was, that they had excited the suspicion of the Irish people by the arbitrary exclusion of the public, and particularly of the public press, from the meetings of the guardians. And to that rule of exclusion they doggedly adhered, against the express and urgent wishes of the boards themselves. The rate-payers were most anxious to see, or to be made acquainted with, proceedings that so nearly concerned them; and it certainly seemed unjust, as well as impolitic, to attempt to deny them that privilege. It had been urged that, as the poor-rate would impose on the great majority of individual rate-payers no heavier payment than that of 5*d.* or 6*d.* in the pound, it could not really affect the interests of the people much, nor afford any ground for exciting among them jealousies or discontent. But they who thus argued, either did not know much of that country, or permitted their own observations and experience to be overruled by mere conjecture, or they must admit, that a large mass of the rate-payers felt the payment of that small sum quite as great a burthen and hardship, as the payment of a much larger rate was felt by persons differently circumstanced, and took as keen an interest in the object and mode of its allocation. The commissioners had further gone out of their way, and, by unnecessary interference, incurred much unpopularity, in prohibiting the boards' giving a Christmas dinner to the paupers. He was most desirous that the existing law should be at once and materially altered. In the provisions of the bill now before the House, he saw many things that were objectionable. He must condemn the contemplated increase in the number of *ex-officio* guardians, as tending to supersede *pro tanto* the guardians elected by the rate-payers, and consequently to diminish the interest of the rate-payers themselves in the well-being of the poor, and to greatly increase the already strong jealousies and disapprobation evinced towards the whole measure in very many localities. One change proposed by this bill was, that 8*l.* householders in towns should be subject to exemption. Now, why should the 8*l.* householders in such places as Dublin, Waterford, Cork, Limerick—persons who were on an equality, he supposed, with the 10*l.* voters here—be exempted from the payment of the rates? It was only by gentlemen practically conversant with the details that this bill could properly be discussed, and it was with a view to render its provisions as perfect as possible, that he begged to move it be referred to a select committee upstairs.

Lord *Eliot* could not acquiesce in the proposition. If it were adopted, he believed, whatever might be the feeling of the committee, the whole matter would be re-opened, and the remainder of the Session would be consumed in the discussion of the abstract question of a Poor-law for Ireland; no report would be made, or if made, not in time to be acted upon. The bill consisted of clauses which every Gentleman was now in a condition to discuss, and no real advantage would be gained by referring the bill to a committee upstairs. The hon. Gentleman had pronounced a diatribe against the commissioners; but it was the duty of those who sought to impugn their conduct, instead of making individual charges without notice, to move for a committee of inquiry; but even admitting the allegations respecting valuations and improvident contracts to be correct, he did not think they furnished any argument at all against the measure as now proposed. He would not at present enter at all upon the details; they would best be considered in committee. He had several amendments to propose, which he would have laid on the Table yesterday, had there been a House. The principal one was in the tenth clause, with a view to guard against the possibility of any interference with the elective franchise. Considerable feeling, he was aware, existed upon the subject of the Irish Poor-law; but there was every desire on the part of the Government fairly to discuss every provision, and there would be no disinclination on their part to pay the utmost attention to every suggestion or recommendation that might be made with a view to render the measure as complete and satisfactory as possible.

Mr. *M. J. O'Connell* was inclined to support the proposition of his hon. Friend; but, after the statement of the noble Lord, he hoped it would be withdrawn. He admitted, that the guardians had not managed the valuations in a proper manner, but he strongly objected to leave the valuations, which were the basis of the elective franchise, entirely in the hands of the commissioners.

Sir *R. Ferguson* supported the amendment. The great defect in the bill was, that it proposed no sufficient check upon the powers of the commissioners.

Lord *Bernard* said, that he would oppose the amendment of the hon. Member for Dundalk, for referring the bill to a select committee, as it would be neither satisfactory in itself or to the country, With regard to the concessions proposed by the noble Lord, he never could see the advantage of the 7th clause. If the valuation were *bonâ fide,* it was unnecessary, and if not, it would not make a good valuation. He deprecated the concessions which had been made by the Government, in giving up the clause increasing the *ex officio* guardians, and said, that the expression of opposition arose from misapprehension. It was supposed that the guardians *ex officio* were to be increased to one-half instead of one-third of the whole board, in proof of which he quoted the following from the *Dublin Evening Post:*—

> "The new bill introduced by Lord Eliot might justly be described as an act to deprive the ratepayers of all controul in the administration of the law, and to vest the entire power of management in irresponsible officers chosen by the Crown, for such would be the inevitable effect of the clause increasing the number of *ex officio* guardians from one-third to one-half."

Again, the hon. and learned Member for the county of Cork in one of his speeches said,—

> "The bill introduced by Lord J. Russell was an atrocious bill, and he rejoiced in having opposed it on principle and detail, yet bad as it was it gave the people a selection of two-thirds of the guardians who were in general sufficient to prove an obstacle to the domination and tyranny of the commissioners, but under the new bill one-half of the guardians were to be *ex officio,* and the commissioners would only have to get a majority of one out of the other half, in order to have a sufficient number to carry their measures."

He did not mean to impute intentional misrepresentation, as he knew it was a common error. He believed that the alteration in this respect, originally proposed by the noble Lord, would have done much to remove the grounds of complaint from those who were the owners of property. What possible good could it do to exclude magistrates from the board, if all political grounds of objection were removed, all political powers taken away? on the contrary, would not the results be most beneficial if magistrates, gentlemen of intelligence, of experience, and of property, were willing to undertake what he could assure the House were onerous duties, the attendance of weekly boards and visiting committees. He then directed the attention of the House to the 22nd clause, which by requiring a month's notice instead of a week, placed difficulties in the way of the owners of property exercising their right to claim their votes, and contended that on that ground the *ex officio* guardians ought to be increased, and alluded to the cumulative and proxy votes not having afforded to the landed property that protection which was intended, and instanced the case of the Bandon Union, where the number of owners and proxy voters were very small compared with the votes of the occupiers of property. He believed the cause of the failure (or rather the partial want of success) of the law was, that the Poor-law was made the basis of the Municipal Franchise, and this, associating it with political interests, made it a fruitful field of party agitation. It is evident there must be something more than meets the eye in a discontent which did not manifest itself as it did in England, in complaints about the separation of husband and wife—of parent and child, and to severities of the workhouse system. Each clause in the bill was carefully considered. First—the 4*l.* and 8*l.* exemptions; then the *ex officio* guardians were thrown into the scale, while the popular attention was directed to see in favour of which party the political beam would gravitate. He would show what had happened in Cork, by reading an extract from the letter of a gentleman which he had received:—

> "In the first place, the coming into operation of the Municipal Act depended upon the declaration of the Union; and the board first elected for the Cork Union, the majority of whom were Liberals, prematurely forced on the declaration of the rate before we had the machinery completed for the working of the act; to which is to be attributed in a great measure the difficulties we have since laboured under; and further, the municipal franchise depending on the Poor-law valuation, which, and the times for striking the rates being dependent on the acts of the board, it is quite evident that party politics entered into the decisions of the board."

He had presented a petition from the aldermen, and others of the Custom-house Ward in Cork, in which were these words:—

> "Your petitioners further beg to call the attention of your honourable House to the injurious effects of the Irish Corporations on the working of that great experiment, the Irish Poor-law, by parties becoming guardians of the unions in cities and corporate towns, not for the purpose of promoting the benevolent objects of the act, but that by political majorities they may be enabled to use the Poor-law valuations as engines to create a franchise. In the first place, the coming into operation of the Municipal Act depended upon the declaration of the Union, and the board first elected for the Cork Union prematurely forced on the declaration of the rate, before we had the machinery completed for the working of the Act, to which is to be attributed in a great measure the difficulties we have since laboured under; and further, the Municipal Franchise depending on the Poor-law valuation, which, and the times of striking the rate being dependent on the acts of the board, it is quite evident that party politics entered into the decisions of the board."

The instances were frequent where guardians had openly avowed that they had become so on account of political and partisan objects, and with the view of furthering political and party interests. He thought the House ought never to have granted to the commissioners so much political influence. The power of fixing the amount of the Poor-law franchise, which at the time of the passing of the law, would have been a delicate subject for discussion now in the House, was left to him to determine. They had also the power of fixing the boundaries of electoral divisions. These were matters susceptible of being made subservient to party and political purposes, and they should have been placed on a footing raised not only above suspicion, but above the possibility of it. Again, he thought it equally unwise to have delegated to the commissioners, the selection of chaplains. He did not wish to revive any discussion of a religious nature, he would not therefore, further advert to that particular objection. Another cause of discontent was, the supposed intention of consigning to the Poor-law commissioners the administration of the medical charities of Ireland, which supposed intention had done more to injure the Poor-law than any other cause whatever; but not only had the law been made unpopular by being the basis of the municipal valuation, but to this was added another ingredient, that it was supposed that the Poor-law valuation would be made the basis of the parliamentary franchise. There now was no chance of improving the law, except by freeing it from the obstructions and difficulties created by its association with political affairs. Let the valuation be placed in the hands of the executive, above the reach of party politics and local interests. Let the administration of the law be conducted on the direct responsibility of the Executive Government. He had already given notice of his intention to move a resolution as an instruction to the committee, which, if put in practice, he was sure would work well; it was, that the business of the central board should be conducted in London instead of Dublin; so long as it was managed in the latter place, so long would it be subjected to party influences and party jealousies. Even at present every appeal was practically made to the right hon. Gentleman at the head of the Home Department.

Sir *D. Norreys* rose to order, and suggested, that the noble Lord had wandered from the question at issue.

Lord *Bernard* really thought, that he was not now out of the strict line of the debate that had been usually the practice to allow, and surely not so much as hon. Members had been, throughout the recent discussion on the Irish Arms Bill. He could not help saying, at the same time, that the law had not had a fair trial in Ireland, for no law could be administered, when those who ought to administer it sought to frustrate it. In a pamphlet addressed by Mr. Godby, Sheriff of Leitrim, to the landowners of the county, after advising them to give the bill their support, he says:—

> "Far from this being the case, I hear an universal outcry of complaint before any one can have any possible ground to know that there is ground for it. I find among the rate-payers opposition to the collectors—among the guardians opposition to the commissioners —and to the very principle of the act, among the whole population, a disposition not to make the best of the law, but as far as in them lies to embarrass its working. Now, if this be the case, how can it succeed? The objects of the best law in the world will be defeated, if those to whom the execution is entrusted, are determined to defeat them. They first endeavour to make it fail, and then complain because they have been successful."

If he (Lord Bernard) could think that anything said within these walls could reach the people of Ireland, he would implore those who opposed the law to reflect what would be the effect of their conduct on their own interests. It was commonly said, by the capitalists of England, even before the late melancholy events in Ireland—"How can you expect us to invest money amongst you when you cannot collect your own poor-rates?" He firmly believed, that if this and other sources of agitation ceased, and agriculture were earnesly prosecuted, the produce of Ireland would be twice as much as it was. He thanked the House for the attention with which they had listened to him.

Sir *D. J. Norreys* quite agreed with the noble Lord as to the unfortunate effect of the connection between the municipal act and the Poor-law. For that, however, hon. Gentlemen on his side of the House were not responsible. If it had not been for some words which were introduced into the municipal bill by the present Lord Chancellor, none of this bad result would have to be deplored. There was one point connected with this subject on which he begged to ask the right hon. Baronet (Sir J. Graham) a question—he meant the removal of Scotch and Irish paupers from England to their respective countries. The commissioners did not appear to have referred to the subject in their report in a way that was calculated to be effectual, so as to establish a reciprocity, in this respect, between the countries. Perhaps the right hon. Gentleman would be kind enough to state what was meant to be done in the matter?

Mr. Sergeant *Murphy* said, the connection between the municipal franchise and the poor-rates in the Cork union had led to much inconvenience. So great was the political ferment, and so much had the workhouse been converted into an arena of political discussion, in order to strengthen the Tory interest in the city, that many of those who otherwise would have gladly aided in carrying out the law, had been obliged to discontinue their attendance. With respect to the removal of paupers, the evil was monstrous. In Cork they were accustomed continually to see ship-loads of paupers who had been embarked in the port of London, set ashore and turned adrift among them. In addition, the paupers from the country infested the streets. Now, considering that they had from 1,650 to 1,800 paupers of their own to support, it was most grievous to have between 200 and 300 paupers thrown on the union from time to time, without having anything similar to the law of settlement in this country to provide for their transmission to their proper localities. Surely, it was not just, that the labouring classes of Ireland, after having wasted their strength and employed the best part of their lives, in lending their aid in the construction of the public works, and gathering the harvests of England, should when decay rendered them no longer serviceable, be thrown back on the destitution of Ireland, where, from the lapse of time, their local connections had cooled in their attachment, and were no longer so ready as before to render them assistance. How they were to be relieved from this constant influx of paupers from England, ought to occupy the immediate attention of Government. He was fully disposed, from all he had seen of the noble Secretary for Ireland, as well in public as in private, to give him full credit for wishing to act, with respect to this measure, in a spirit of perfect fairness. For himself. he was quite ready to meet the Government in the same spirit. There was one observation he had to make before he sat down, and that was, that in his opinion, the commissioner was undoubtedly too much in the habit of following his own judgment, instead of listening to advice from those whose local knowledge gave them a right to offer it. An instance of this had occurred at Cork, where the commissioner had had the workhouse built on a quarry, the effect of which was, that the building could not be drained and, of course, miasma and deleterious effects might be apprehended.

Mr. *G. Hamilton* said, as the proposition of the hon. Member for Dundalk was not to be pressed to a division, he would not take up the time of the House by adverting to it; but he would avail himself of the opportunity of stating, that it was his intention to move some clauses in reference to the manner in which the clergy were at present rated. With regard to the present Irish Poor-law, he felt that it was very imperfect; and he did not hesitate to add, that its imperfections had been greatly aggravated by the injudicious administration of the Poor-law commissioners in many cases. He was most anxious to see the measure improved. He had had the honour of a seat in Parliament when the measure was first introduced, and he could not forget, that it had exhibited an almost solitary instance of an Irish measure being discussed and carried through the House without any exhibition of party feeling. As a measure, therefore, proposed by the late Government, and supported by the late Opposition, he felt that it came to the present Government under very peculiar circumstances. He thought it was entitled to a fair trial; the time and circumstances had not admitted of that fair trial as yet; and he thought, also that Members on all sides of the House, ought to co-operate in rendering it now as efficient as possible. Although fully sensible, as he had stated, of its imperfections, he could not admit that the measure had been altogether a failure. He thought the state of the workhouses, as respects the class of their inmates, exhibited anything but an indication of failure. If, indeed, the workhouses had been filled with able-bodied men, he should have despaired of the result of the experiment; but such was not the case; the persons who asked admission into the workhouses were, for the most part, the aged, the infirm, and children, and in cases in cities, able-bodied women. No one, he thought, could complain that relief had been administered to such classes; and indeed the consideration of the comparative comfort which those poor people enjoyed, went very far, in his estimation, to overbalance any objections that were made to the system itself. There was another point likewise in which he thought the poor laws had operated beneficially. He was perfectly aware — as had been already stated—that in large towns the board-rooms of guardians had been made arenas for violent political discussions and struggles; but he believed that was very much confined to towns. He could not help thinking that in the country unions the administration of poor relief had tended to an amalgamation of parties in bringing together on neutral ground men of different classes and politics. It had been his lot to have been engaged in three very hard-fought election contests for the county in which he lived, all of them attended with no ordinary political excitement; the parties who had opposed him most strenuously, were the very parties who constituted the great majority of the guardians of his union, and yet these same persons—differing from him in politics—differing from him in religion—differing from him in almost everything, except in the desire of benefitting the poor—had on two occasions elected him the chairman of the board. He stated this simply as an illustration of the effect which had been produced in connexion with the Poor-law system in diminishing hostility, and softening down party feelings. There were one or two matters which he felt would contribute greatly to the better working of the system in Ireland. He thought nothing would tend more to improve it than if Government would throw themselves more upon the good sense and good feeling of those who administer the law locally—he meant the boards of guardians; and if the Government would pin their faith less upon the commissioners—he thought also the executive government ought to be made more directly responsible for the administration of the system—or the Poor-law commissioners made directly responsible to the Irish Government. At present there was a divided and an uncertain responsibility, which he thought very objectionable. He was sorry to have to add that he feared the present bill would go a very short way indeed in remedying the defects of the system. He was well aware that many most important suggestions had been offered to Government by persons of practical knowledge, and most fully competent to give them the best information. He regretted that those suggestions appeared to be overlooked or disregarded by the noble Lord—amongst them he might enumerate that evil to which the hon. and learned Member for Cork had alluded—

the transmission of paupers from England; and he could assure the hon. Member that he fully agreed in every word he had spoken on that subject, and felt the hardship as strongly as he did.

Sir *J. Graham* was anxious that the House should go into committee with as little delay as possible, because it was in the committee that the details of the measure could be best discussed, and therefore, under ordinary circumstances, he should be most unwilling to prolong this debate; but as the hon. Baronet opposite, as well as the hon. and learned Sergeant and the hon. Gentleman behind him, had remarked upon the subject of the removal of Scotch and Irish paupers from England, he would, with the permission of the House, offer a few words in reply to them. It was, he need scarcely observe, hardly possible in an Irish Poor-law bill to deal with this subject. In England there was the right to relief and the law of settlement. In Ireland there was neither. In England a removal took from one specific spot to another specific spot. With respect to Ireland the removals were to a country, and not a specific place. He admitted that both with respect to the Scotch and Irish paupers the law as it at present stood did inflict upon those who had been resident in England very great hardships. The pauper, who had helped to increase the wealth of England by his labour, ought to have some greater consideration shown to his health and comfort when he was worn out than at present fell to his lot. He intended to introduce a bill on the subject before the close of the Session, which might lie over during the recess, so as to give some time for consideration, and he was not without hopes that checks might be devised to guard against abuses in the plan he should propose. With respect to the question of franchise, he must disclaim, on the part of the Government, any intention to interfere with the franchise in establishing the connexion, as it was called, between the Municipal Act and the Poor Relief Act. The Government was inclined to adopt the sum of 10*l.* with regard to the larger towns in Ireland, but upon further consideration, and viewing the effect which the rating would have upon the municipal franchise, they had adopted the lower sum. If it could be shown in committee that any particular sum would interfere with the exercise of the municipal franchise, the point would be mooted in committee, and it would then be found that the Government had no intention of interfering with the franchise. The several impediments to the working of the Irish Poor-law could then be smoothed down, and it would be seen that the Government was anxious to do all in its power to ameliorate the condition of the poorer classes in that country.

Mr. *Redington* would, with the permission of the House, withdraw his motion.

The amendment withdrawn. House in committee on the bill.

On clause 1 being proposed, enacting "that the lessors of property of less value than pounds to be rated for the same," it was proposed to fill the blank with the word "eight."

Sir *R. Ferguson* objected to fixing the standard of rate in any part of the country, as he thought it would be better to adapt it to circumstances. In Londonderry many holdings under 5*l.* were in arrear of rent; whilst in other neighbouring places such was not the case. The noble Lord, the Member for Bandon, said the rate was a light one, and never exceeded 10*d.* in the pound; but in his electoral division, it in some instances amounted to 2*s.* 6*d.* He would therefore move as an amendment, that the Poor-law commissioners might be empowered to issue an order from time to time, directing the guardians of an union to make a rate according to circumstances upon property not exceeding 8*l.*, and to include both lessee and occupier. The clause as it now stood, whilst relieving all holders under 4*l.*, would throw the burden upon the landlords. As the law at present stood, all parties had a common interest in the rate being levied; but the clause now proposed by the bill would hold out an inducement to landlords to get rid of their poorer tenants.

Lord *Eliot* thought the power proposed to be vested in the commissioners by the amendment was too arbitrary. The recommendations of the commissioners in the first instance were, that occupiers under 5*l.* should be exempt, or that the rate should be paid by the landlords. Persons at present holding under 5*l.* were exempted from the payment of the county cess, and as it had been represented to Government, that the subdivision of holding in the west of Ireland especially, was carried to a very great extent, it was supposed that 4*l.* would form the best average. If, however, a uniform rate was considered objectionable, and another mode would be more applicable to the circumstances of the country, any suggestion to that effect should receive due consideration. He was not at present, however, in such a position as would enable him to give his consent to a proposal of that kind, though he could not, at the same time, say he would oppose it.

Mr. *S. Crawford* objected to any additional powers being vested in the commissioners. It should be for the House, and not the commissioners, to fix the amount of property to be assessed.

Mr. *George Hamilton* could not agree in the proposition of his hon. Friend, the Member for Londonderry city, for he thought it would be productive of a constant struggle between landlord and tenant —the one claiming, and the other resisting the exemption; he was, however, very favourable to the exemption of the occupiers of small tenements, but he thought the clause liable to serious objections. It was the principle of the present Poor-law, that the occupier is liable to one moiety of the rate on the grounds, and in consideration of, the profits of occupation; and the landlord to the other, on the grounds of his ownership, but occupiers of very small tenements, scarcely removed from pauperism, who are unable to pay, and the recovery of the rate from whom would be attended with distressing results—and these the bill proposes to exempt. But if inability to pay was the ground of exemption in the case of such small holders, the exemption ought to have been extended to lessees of similar holdings. There was another great objection to the clause as at present framed. It appeared to him to introduce a new principle—it made the landlord liable not only to his ownmoiety as owner, but to the moiety to which his tenant was liable, in consideration of the profits of occupation. Again, from the exemption being confined to cases of tenants at will, it appeared grounded upon the supposition, that the landlord would recover from his tenant the amount of the rate, in the shape of an increased rent. If this were the case, the effect of the clause would be to shift the odium of collection from the collector to the landlord; and it would also be said, "Is it fair to disfranchise the tenant?" If it was not so, if the occupier in those cases is supposed to be totally exempt—why place one class of landlords, because they happen to have tenants at will, on a different footing from other landlords? He should have thought that the fairer and better plan would have been to exempt all tenants under a certain value, and to leave the landlord, as at present, liable to his moiety of the rate. He feared the clause, unless so altered, would occasion great dissatisfaction.

Sir *R. Ferguson*, would withdraw his amendment, or allow it to be negatived, and bring it forward again on the report.

Amendment negatived.

Mr. *Redington* moved to fill up the blank with the word "four" instead of "eight."

The Committee divided on the question that the blank be filled with "eight;"—Ayes 119; Noes 18; Majority 101.

List of the AYES.

Acland, T. D.
Acton, Col.
Aglionby, H. A.
Aldam, W.
Alford, Visct.
Antrobus, E.
Archdall, Capt. M.
Baillie, Col.
Baring, hon. W. B.
Barron, Sir H. W.
Baskerville, T. B. M.
Bateson, R.
Bernard, Visct.
Blackburne, J. I.
Boldero, H. G.
Bowring, Dr.
Boyd, J.
Brotherton, J.
Browne, hon. W.
Bruce, Lord E.
Buckley, E.
Bunbury, T.
Burroughes, H. N.
Christopher, R. A.
Collett, W. R.
Connolly, Col.
Coote, Sir C. H.
Corry, rt. hon. H.
Cripps, W.
Damer, hon. Col.
Darby, G.
Denison, E. B.
Dickinson, F. H.
Douglas, Sir C. E.
Douglas, J. D. S.
Drummond, H. H.
Duncombe, hon. A.
East, J. B.
Eliot, Lord
Ellis, W.
Flower, Sir J.
Forester, hon. G. C. W.
Gisborne, T.
Gladstone, rt. hn. W. E.
Gladstone, Capt.
Gordon, hon. Capt.
Gore, W. R. O.
Graham, rt. hn. Sir J.
Greenall, P.
Grogan, E.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Hardinge, rt. hn. Sir H.
Hayes, Sir E.
Heneage, G. H. W.
Henley, J. W.
Herbert, hon. S.
Hodgson, F.
Hope, G. W.
Hussey, A.
Hussey, T.
James, W.
James, Sir W. C.
Jermyn, Earl
Jervis, J.
Jones, Capt.
Kemble, H.
Lefroy, A.
Lincoln, Earl of
Mackenzie, W. F.
M'Taggart, Sir J.
Manners, Lord J.
Marsland, H.
Masterman, J.
Maxwell, hon. J. P.
Meynell, Capt.
Mitcalfe, H.
Morgan, O.
Morris, D.
Murphy, F. S.
Napier, Sir C.
Neeld, J.
Newry, Visct.
Nicholl, rt. hon. J.
Northland, Visct.
O'Brien, W. S.
O'Conor, Don

Palmer, G.
Peel, rt. hon. Sir R.
Polhill, F.
Pollock, Sir F.
Pringle, A.
Rice, E. R.
Roche, Sir D.
Ross, D. R.
Round, J.
Russell, Lord J.
Sheppard, T.
Smith, rt. hon. T.B.C.
Smollett, A.
Sotheron, T. H. S.
Stuart, W. V.
Stuart, H.
Sutton, hon. H. M.
Talbot, C. R. M.
Thesiger, F.
Thornely, T.
Trelawny, J. S.
Trench, Sir F. W.
Trollope, Sir J.
Verner, Col.
Vesey, hon. T.
Wellesley, Lord C.
Wilbraham, hn. R. B.
Wood, B.
Wortley, hon. J. S.
Wrightson, W. B.
Young, J.

TELLERS.

Freemantle, Sir T.
Gaskell, J. Milnes

List of the Noes.

Barnard, E. G.
Collett, J.
Corbally, M. E.
Dawson, hon. T. V.
Ferguson, Sir R. A.
Gore, hon. R.
Hindley, C.
Hollond, R.
Martin, T. B.
Norreys, Sir D. J.
O'Connell, M. J.
Scholefield, J.
Tancred, H. W.
Tuite, H. M.
Watson, W. H.
Westenra, hon. J.
Williams, W.
Wyse, T.

TELLERS.

Redington, J.
Crawford, W. S.

The three first clauses of the bill were agreed to.

House resumed. Committee to sit again.

House adjourned at half-past Twelve o'clock.

HOUSE OF LORDS,

Monday, June 12, 1843.

Minutes.] Bills. *Public.*—2ª· Millbank Prison.

Private.—1ª· Leighton Bussard Inclosure; Plymouth, etc. Roads, Carriages, etc.

2ª· Dowager Countess of Waldegrave's Estate.

Reported.—Marquess of Abercorn's Estate; Southampton Cemetery; Kentish Town Paving.

3ª· and passed:—South Eastern Railway Extension; Belfast Harbour; Merthyr Tidvil Stipendiary Magistrates; Liskeard and Caradon Railway; Forth Navigation; Sowerby and Soyland Inclosure; Piel Pier.

Petitions Presented. By Lord Brougham, from Almondbury, and Holme Bridge, for Inquiry into the system adopted at Infant and Normal Schools.—From Ipswich, for Inquiry into Socialism.—From Dundee, for Abolishing the Privileges of Guilds and Incorporations in Scotland.—From Collieries in Fife, against the Mines and Collieries Act.—From Kilcoe, and Aghadown, against the Irish Poor-law.

HOUSE OF COMMONS,

Monday, June 12, 1843.

Minutes.] Election Petitions.—By Messrs. Gisborne, and S. Crawford, from Nottingham, complaining of certain Practices at the late Election for that Borough.—By the Earl of Lincoln, from the same place, for Inquiry into the above Practices.

Bills. *Public.*—1º· Grand Jury Presentments.

Committed.—Church Endowment; Roman Catholic Oaths (Ireland); Assessed Taxes.

Reported.—Wheat, etc. Canada.

Private.—1º· Lord Gray's Estate.

Reported.—Leamington Priors Improvement; Aberdeen Harbour; Bardney Drainage; Hawkins's Estate; Paisley Municipal Affairs.

3º· and passed:—Plymouth, etc. Roads, Carriages, etc.; Kendall's Divorce; Hull Water Works; Balfour's Estate; Leighton Bussard Inclosure.

Petitions Presented. By Messrs. Thornely, Broadley, Aldam, Ord, and G. Langton, Sir J. Duke, Captain Plumridge, and Admiral Dundas, from a great number of places, against the Factories Bill; and from Birmingham, in favour of the same.—From Wolverhampton, for carrying out Rowland Hill's Plan of Post-Office Reform.—From Leeds, in favour of the Coroner's Bill.—From Trim, and Dunshaughlin, against the Irish Poor-law.

Nottingham Election.] Mr. *Gisborne* moved that the proceedings before the late Nottingham Election Committee be printed.

The Earl of *Lincoln.* May I ask the hon. Member whether it is his intention to bring the petition under the consideration of the House?

Mr. *Gisborne.* Undoubtedly, I have given a notice to that effect. Will the noble Lord allow me to ask a question of him in return? Had the noble Lord any connexion with the proceedings before the committee which lately inquired into the allegations made against the return for Nottingham on the late occasion.

The Earl of *Lincoln.* Sir, I am aware that I should be fully justified, and should, perhaps, better fulfil my duty as a Member of this House, if I declined to be catechised by the hon. Member and declined to answer a question that must be considered extraordinary and unusual. Sir, I am not only not ashamed, but I am fully prepared to defend the part which I have taken in any election, not only at Nottingham, but in any one in which I have been concerned. If the hon. Gentleman is inclined to go through a series of questions, and will concede to me the same privilege, and will promise me that he will give a fair and impartial answer to every question I propound to him, as far as I am concerned, I am perfectly prepared to go through the ordeal. Sir, I will state at once that the Conservative electors of Nottingham did call upon me for advice after the termination of the last election. Ever since I entered upon public life, they have done me the honour to place great reliance upon my opinion, and have frequently been guided by my advice. After the late election they solicited my advice, and having represented to me that the election had been obtained by unlawful means, I did advise them to present a petition against the hon. Gentleman's return, and to prosecute it before the House—and further, it was upon my advice that the legal assistance was retained.

Motion agreed to.

ABSENTEE PRELATES (IRELAND.)] Mr. *F. French* wished to ask whether her Majesty's Government were prepared to enforce an act of the Irish Parliament, the 35th of Henry 6th., by which the benefices of those prelates who resided away from their sees for a certain period without due cause were to be sequestrated?—the one-half was to be bestowed in church endowments, and the other given to the public service.

Sir *R. Peel* said, the hon. Member had placed the statute 35th of Henry 6th. in his hands, which was plain enough but without knowing how far the provisions of that statute might have since been modified by other acts of the Legislature, and without knowing under what circumstances the individuals alluded to might be absent, or how far their absence might have been authorized, or how far the statute might be applicable to their particular cases, it was impossible for him at that moment to do more than to state generally his deep regret that any prelate should be permanently absent from the exercise of his spiritual functions in Ireland.

AFFAIRS OF SCINDE. Mr. *Roebuck* said, it would be in the recollection of the House that not long ago he put a question to the right hon Baronet on the subject of recent transactions in Scinde. Since that time Scinde had, by a series of inconceivably brilliant actions, displaying at once the bravery of our troops and the consummate skill of their commander, been subjected to the dominion of England, and its former rulers, the Ameers, were now prisoners at Bombay. He would now ask the right hon. Baronet was he prepared to lay before the House such information as would enable it to judge of the whole of the proceedings in Scinde, with reference to their policy and propriety? But if the right hon. Baronet was not now able to lay this information before the House when did he expect to be?

Sir *R. Peel:* When the hon. and Learned Member had called his attention to this subject on a former occasion, he stated that he would undertake to lay on the Table the treaties entered into with the Ameers, and ratified by all the contracting parties. The hon. and Learned Member was aware, that those documents had been laid before the House; but he had also promised to lay before the House other documents which would enable it to form a judgment on the whole case connected with our occupation of Scinde. There were several points on which information had been required from the government of India.—On some of these the explanation sought for had not arrived. The information which he wished to lay on the Table, was not as complete as he could wish, but still it would be such as would enable the House to take a general view of the whole proceedings. The events which had recently occurred in Scinde, were, he would admit, of great importance; they were characterized by the valour of the men, and the skill, bravery and self-devotion of their gallant commander.

Sir *E. T. Colebrooke* wished to know whether her Majesty's Government had determined to confirm the acts of the Governor-general with respect to the government of that part of the country heretofore under the dominion of the Ameers of Scinde? Was the general order of the Governor-general with respect to slavery to remain in force and how was it to be carried out? In the general order referred to, the Governor-general spoke of Acts of Parliament relating to the slave-trade, but no Acts of Parliament on this subject referred to India. Was the order of General Napier to be considered as rescinded by that of the Governor-general?

Mr. *B. Baring* said, to the hon. Member's observations, he could answer only by conjecture. The order of General Napier applied only, as he understood it, to slavery in Scinde, and so that the social relations of European families might not be disturbed by the general act relating to it. The order would not prevent the holders of slaves from making them free if they pleased.

Lord *J. Russell* had understood the right hon. Baronet to state that not having full information on the subject of the hon. and learned Gentleman's inquiry, and the matter still being before her Majesty's Government, who had not yet been able to decide finally as to the general policy to be pursued by the Government of India, it was not advisable to lay such information as they were already in possession of upon the Table of the House. But he (Lord J. Russell) had observed that there had been certain papers made public through the newspapers. With respect to these he had not the same doubt about the policy of communicating them to the House. Those were the proclamation of Lord Ellenborough, in which it was stated that "content with the limits nature appears to have assigned its empire, the Government of India will devote all its efforts to the establishment and maintenance of a general peace," implying that the territories of the empire would not be extended beyond the Indus; and the account of the conquests of Sir C. Napier on the right bank of the Indus. Would the right hon. Gentleman object to lay these papers on the Table?

Sir *R. Peel* said, what he stated was, that on some points the information in the hands of her Majesty's Government respecting the subjects of the question of the hon. and learned Gentleman was imperfect. He had had every reason to hope that the next mail that went out would convey the general views of her Majesty's Government respecting the government of India. Up to this time there had been no opportunity for her Majesty's Government to communicate their general views respecting the policy to be pursued there from want of information. With respect to the question of the noble Lord, he thought there were objections to selecting for presentation to the House, first, those papers which had been published in the public journals. That course had been objected to, he believed, with respect to papers concerning some of the negotiations with America, and he thought it would be a very inconvenient one.

Mr. *Roebuck* would on the earliest possible opportunity without reference to papers, bring the whole subject of Scinde under the consideration of the House.

THE PRINCESS AUGUSTA OF CAMBRIDGE—QUEEN'S MESSAGE.] On the motion of Sir R. Peel, the message from her Majesty, sent down on Friday, was read—(*see ante.* p. 1229.)

Sir *R. Peel*: Before I move that the House resolve itself into a Committee of the whole House, to take into consideration her Majesty's most gracious message, it will be right to move a formal address, thanking her Majesty for the communication which she has been graciously pleased to make to the House. Of course to that formal reply to her Majesty's message I cannot anticipate the slightest objection. I am sure that the House feels obliged to her Majesty for her gracious communication, and will be glad to hear that a Princess, of that illustrious house of which her Majesty is the head, is about to ally herself in marriage with a Prince whose high character and amiable personal conduct have endeared him to every one who has had the honour to be acquainted with him. He is already connected by more than one tie with the Throne of this country, and, so far as circumstances can form any guarantee for the happiness of an union of this nature, there is every guarantee for the happiness of this; and I cannot forbear to express my wish that every happiness may attend the illustrious Princess and her Consort in the union they are about to contract. I move,—

> "That an humble address be presented to her Majesty, to return her Majesty the thanks of this House for her most gracious communication of the intended marriage between her Royal Highness the Princess Augusta Caroline, eldest daughter of his Royal Highness the Duke of Cambridge, and his Royal Highness Frederick Hereditary Grand Duke of Mecklenburg Strelitz, and to assure her Majesty that this House will immediately proceed to the consideration of her Majesty's gracious message."

Mr. *Hume* said, that no one could wish happiness to the illustrious Princess more than he did, but at the same time he must say, that the right hon. Baronet seemed to him to have omitted what was very important. He did not object to one word that was in the proposed address, he only wished to add two or three lines with reference to what it was the duty of the House on some occasions to attend to. He thought the right hon. Baronet could not expect that the House should go into committee before he had given notice of his motion to that effect. He presumed that the right hon. Baronet ought to state on this occasion that on a future day he would name the precise sum which he should ask the House to vote by way of income for the Princess. On the 3rd of May, 1797, a message came down from the Crown announcing the intended marriage of the Princess Royal, when the House only voted the address and did not go into committee. He believed there were other precedents to the same effect; but, whether there were precedents or not, the House was in a condition to make precedents for themselves, and they ought not to go into committee immediately. He objected to a part of what had been stated by her Majesty. He wished to add to the words of the address two lines, which he thought it was the duty of the House to insert, and to which he presumed the right hon. Baronet could not have any objection. His amendment went to pledge the House to consider her Maiesty's message with reference to a due consideration of the condition of the finances and the diminished receipt from the ordinary sources of revenue, and to the state of many of her Majesty's subjects, and the depression of trade, and especially to that suffering and destitution which had so long prevailed, which her Majesty's gracious speech from the throne delivered by the commissioners on the 2nd of February had so deeply deplored. He wished her Majesty to take these subjects into her consideration; he wished it because he believed that her Majesty would not wish that any step should be taken in this matter without due consideration of the circumstances which had been stated from the Throne in February last. He wished, therefore, to propose these words in addition to the address, and he could not conceive that the right hon. Baronet could have any objection to them. He could not think that the right hon. Baronet would consider it proper to take any steps in this matter without taking into consideration the state of the finances which the right hon. Baronet himself had stated were in a very unsatisfactory condition. All he wished was to add to the address that to which he could not conceive there could be any objection. When that motion was disposed of, he should propose that the right hon. Baronet should state in the House, and before going into committee, what sum he meant to propose. The hon. Gentleman concluded by moving to add the following words to the address—

"And, also, with due consideration to the state of the public finances, and to 'the diminished receipt from some of the ordinary sources of revenue;' to the condition of her Majesty's people, many of whom have long suffered, and are now suffering grievous privations, caused by heavy taxation, and by 'that depression of the manufacturing industry of the country which has so long prevailed; and which her Majesty, in her gracious speech from the Throne on the 2nd of February last so deeply lamented."

Mr. *Williams* rose, to second the motion of the hon. Member for Montrose. Within nine years they had added by their votes 42,000,000*l.* sterling to the permanent debt of the country. Within three years they had added by their votes 8,000,000*l.* sterling to the taxation of the country. He would like to know whither they were going to drive the country? If they fancied they would not have some day or other to answer for this they were mistaken.

Sir *R. Peel*: I hope the two hon. Gentleman will allow the House to go into committee to enable me to state what is the proposal I have to make. I have acted not only in conformity with strict precedent, but in correspondence with those rules which are dictated by common sense and reason, without reference to precedent. The proposal I have now to make commits no one to approve of what I may state in committee. The proposal is only an assurance to her Majesty that we thank her for her most gracious communication, and consent to the consideration of the message—nothing more. Now surely, in committee of the whole House there will be a much better opportunity of my explaining to the House what is the nature of my proposal; and though I cannot accede to the hon. Gentleman's wish that I should state it now, yet I cannot help confidently hoping that the proposal I have to make will be one that will show that the Government have not disregarded the various considerations that, in the present state of the country, ought to be duly considered.

Mr. *Aglionby* was in favour of the proposition of his hon. Friend the Member for Montrose, and at a fitting period he should support it; but he would suggest that that was not the proper time for it. The best time would be in the next stage of the question. If his hon. Friend would not postpone his motion he [illegible] vote with him though unwillingly.

Viscount *Howick* could not help suggesting to the right hon. Baronet, that however confident he might be of the general acquiescence of the House in the proposal he was about to make, it would be still more satisfactory to the House that they should have time calmly to consider the proposal after they heard what that proposal was. He recollected that when the late Government brought forward the question for making some provision for Prince Albert, the course then adopted by his noble Friend then the leader of the Government in that House, after stating what were the views of the Government, was, that the Chairman should report progress and take the vote upon a subsequent day. He threw this out as a suggestion, being in total ignorance of what the right hon. Baronet's proposal might be, and without giving upon it an opinion one way or the other, and whether they were to approve or disapprove of it. He confessed, that for one, he so far agreed with the hon. Gentleman the Member for Montrose as to think it better that the House should not commit itself to a vote in supply for a grant of money without a previous intimation of what that amount was to be. He, therefore, suggested the propriety of the right hon. Baronet stating that evening the views of the Government, and upon some subsequent evening calling upon the House for a vote.

Sir *R. Peel*: Under the particular circumstances of the case, I certainly should be sorry if hon. Gentlemen acting, as I am sure they now are, upon a sense of public duty, after my stating the nature of the proposal the Government had to make to the House of Commons should feel it necessary to require delay for the consideration of that proposal; but at the same time, should there be on the part of hon. Members of this House a general opinion in favour of delay, I should be acting very unwisely with respect to a vote of money to the royal family to attempt to carry it by mere numbers. Much of the value of such a vote must depend upon the general concurrence of the House; and, therefore, after stating my proposal, if there should be a strong wish for delay, it will not be consistent with my duty to press it; but I shall then call upon the House on the earliest day to adopt the proposal.

Mr. *Hume* understood the message to be for the purpose of the House making a suitable provision for a Member of the royal family, and he took the answer they were now to give to be an acquiescence in that. But he wished in giving his consent to that message to have before him the state of the finances of the country.

Lord *John Russell* said, if he understood the right hon. Gentleman rightly, he proposed that they should return an answer to the Crown, and in doing so profess their readiness to listen to the proposal. Even if he (Lord John Russell) took the same view as the hon. Member for Montrose, he should still think it more respectful to the Crown to receive and consider the proposal to be made. It would then be open to any hon. Gentleman to say, "We are willing to make a provision, if the circumstances of the country allow it," or on the other hand to say, "considering the circumstances of the country, we are incapable of making a provision." He trusted his hon. Friend the Member for Montrose would withdraw his amendment.

Mr. *Hume*: Sir, I will not withdraw the amendment I have made. I wish her Majesty to know the truth as far as I am concerned.

The House divided on the question, that the "words be added."—Ayes 52; Noes 276: Majority 224.

List of the AYES.

Aglionby, H. A.
Barnard, E. G.
Bell, J.
Berkeley, hon. C.
Berkeley, hon. H. F.
Blewitt, R. J.
Bowring, Dr.
Brotherton, J.
Chapman, B.
Christie, W. D.
Collett, J.
Crawford, W. S.
Currie, R.
Dennistoun, J.
Duke, Sir J.
Duncan, G.
Duncombe, T.
Dundas, Adm.
Ellice, E.
Elphinstone, H.
Ewart, W.
Gibson, T. M.
Gisborne, T.
Hastie, A.
Hatton, Capt. V.
Hollond, R.
James, W.
Langton, W. G.
Leader, J. T.
Marsland, H.
Martin, J.
Mitcalfe, H.
Morris, D.
Muntz, G. F.
Murphy, F. S.
O'Brien, J.
Phillpotts, J.
Plumridge, Capt.
Redington, T. N.
Ricardo, J. L.
Roebuck, J. A.
Scholefield, J.
Scott, R.
Stansfield, W. R. C.
Strutt, E.
Tancred, H. W.
Thornely, T.
Trelawney, J. S.
Turner, E.
Villiers, hon. C.
Wood, B.

TELLERS.

Hume, J.
Williams, W.

List of the NOES.

Acland, Sir T. D.
A'Court, Capt.
Acton, Col.
Adare, Visct.

Adderley, C. B.
Alford, Visct.
Allix, J. P.
Arkwright, G.
Ashley, Lord
Baillie, Col.
Baillie, H. J.
Baldwin, B.
Balfour, J. M.
Bankes, G.
Barclay, D.
Baring, rt. hon. F. T.
Barneby, J.
Barrington, Visct.
Barron, Sir H. W.
Baskerville, T. B. M.
Bell, M.
Berkeley, hon. Capt.
Blackburne, J. I.
Blackstone, W. S.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bowes, J.
Boyd, J.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Broadwood, H.
Brownrigg, J. S.
Buckley, E.
Bulkeley, Sir R. B.W.
Buller, E.
Burrell, Sir C. M.
Burroughes, H. N.
Byng, G.
Byng, rt. hon. G. S.
Campbell, Sir H.
Cardwell, E.
Cartwright, W. R.
Cavendish, hn. G. H.
Charteris, hon. F.
Chelsea, Visct.
Chetwode, Sir J.
Childers, J. W.
Cholmondeley, hn. H.
Christopher, R. A.
Chute, W. L. W.
Clay, Sir W.
Clayton, R. R.
Clerk, Sir G.
Clive, Visct.
Clive, E. B.
Clive, hon. R. H.
Codrington, Sir W.
Colborne, hn. W. N. R.
Colebrooke, Sir T. E.
Collett, W. R.
Colquhoun, J. C.
Compton, H. C.
Connolly, Col.
Coote, Sir C. H.
Corry, right hon. H.
Courtenay, Lord
Cresswell, B.
Denison, W. J.
Denison, E. B.
Dickinson, F. H.
Disraeli, B.
Douglas, Sir H.
Douglas, Sir C. E.
Drummond, H. H.
Duncombe, hon. A.
Dundas, D.
Dungannon, Visct.
Du Pre, C. G.
East, J. B.
Ebrington, Visct.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Ellice, rt. hon. E.
Escott, B.
Estcourt, T. G. B.
Evans, W.
Fellowes, E.
Ferguson, Col.
Filmer, Sir E.
Fitzroy, hon. H.
Flower, Sir J.
Follett, Sir W. W.
Forester, hn. G.C.W.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Gladstone, Capt.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Gore, W. O.
Gore, W. R. O.
Gore, hon. R.
Goring, C.
Graham, rt. hn. Sir J.
Granby, Marquess of
Greenall, P.
Greene, T.
Grey, rt. hon. Sir G.
Grimston, Visct.
Grogan, E.
Halyburton, Lord J. F.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hardy, J.
Hawes, B.
Hay, Sir A. L.
Hayes, Sir E.
Heathcote, G. J.
Heneage, G. H. W.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hill, Lord M.
Hinde, J. H.
Hodgson, F.
Hogg, J. W.
Hope, A.
Hope, G. W.
Hoskins, K.
Howard, hon. C.W.G.
Howard, hon. J. K.
Howard, Lord
Howick, Visct.
Hughes, W. B.
Hussey, A.
Hussey, T.
Hutt, W.
Inglis, Sir R. H.
Irton, S.
James, Sir W. C.
Johnstone, Sir J.
Joliffe, Sir W. G.
Kelly, F. R.
Kemble, H.
Knatchbull, rt. hn. Sir E.
Knight, H. G.
Labouchere, rt. hon. H.
Lambton, H.
Lascelles, hon. W. S.
Lawson, A.
Lefroy, A.
Lemon, Sir C.
Leslie, C. P.
Liddell, hon. H. T.
Lincoln, Earl of
Listowel, Earl of
Loch, J.
Lord Mayor, The
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Mackinnon, W. A.
Maclean, D.
McGeachy, F. A.
McTaggart, Sir J.
Mahon, Visct.
Mainwaring, T.
Manners, Lord C. S.
Manners, Lord J.
Marsham, Visct.
Martin, C. W.
Marton, G.
Masterman, J.
Meynell, Capt.
Mildmay, H. St. J.
Miles, P. W. S.
Mitchell, T. A.
Mordaunt, Sir J.
Morgan, O.
Mundy, E. M.
Neeld, J.
Neville, R.
Newport, Visct.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Northland, Visct.
O'Brien, A. S.
Ogle, S. C. H.
Ord, W.
Packe, C. W.
Paget, Col.
Pakington, J. S.
Parker, J.
Peel, rt. hon. Sir R.
Peel, J.
Pennant, hon. Col.
Philips, Sir R. B. P.
Pollock, Sir F.
Praed, W. T.
Price, R.
Pringle, A.
Pusey, P.
Rendlesham, Lord
Rolleston, Col.
Rose, rt. hon. Sir G.
Ross, D. R.
Round, C. G.
Round, J.
Rushbrooke, Col.
Russell, Lord J.
Russell, C.
Sandon, Visct.
Seale, Sir J. H.
Seymour, Lord
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Smith, A.
Smith, J. A.
Smith, rt. hon. R. V.
Smith, rt. hn. T. B. C.
Smythe, hon. G.
Smollett, A.
Somerset, Lord G.
Stanley, Lord
Stanley, E.
Stewart, J.
Stuart, W. V.
Strickland, Sir G.
Sturt, H. C.
Sutton, hon. H. M.
Taylor, T. E.
Tennent, J. E.
Thesiger, F.
Thornhill, G.
Tomline, G.
Towneley, J.
Trench, Sir F. W.
Trollope, Sir J.
Tufnell, H.
Turnor, C.
Tyrell, Sir J. T.
Vane, Lord H.
Verner, Col.
Vernon, G. H.
Vesey, hon. T.
Vivian, J. H.
Waddington, H. S.
Wall, C. B.
Walsh, Sir J. B.
Welby, G. E.
Wilbraham, hn. R. B.
Wilshere, W.
Winnington, Sir T. E.
Wodehouse, E.
Wood, C.
Wood, Col.
Wood, Col. T.
Wortley, hon. J. S.

Wortley, hon. J. S.
Wrightson, W. B.
Wynn, rt. hn. C. W. W.
Young, J.

TELLERS.
Fremantle, Sir T.
Baring, H.

Main question agreed to.

Address adopted.

House in committee to consider the Queen's message.

Sir *R. Peel:* I now proceed to state to the committee the precise character of that proposal which, on the part of her Majesty's Government, I am authorized to submit for the consideration of the committee. I do not propose to call upon the committee to adopt any proposition which will impose any immediate additional burthen upon the people. I do not propose to take any immediate vote by way of provision for her Royal Highness Princess Augusta Caroline of Cambridge. I find that the general rule adopted and sanctioned by the House of Commons, in respect to provisions made for princesses of the Royal Family, has been to assume that the parent of the princess, whether the reigning sovereign, or any member of the reigning family, would undertake, during the life-time of that parent, out of the provision made for him, either from the civil list granted to the Sovereign, or from the consolidated fund granted to any member of the Royal Family by Parliament, to make provision for their daughters. I propose to adhere strictly to that principle upon the present occasion. I shall not propose anything by way of absolute allowance; not anything by way of present annuity. But what I propose to the House is, that upon the death of his Royal Highness the Duke of Cambridge a certain portion of the annuity now received by his Royal Highness should be applied as a provision for the Royal Princess Augusta, his daughter. I will not refer to any particular provisions which have been made for the female branches of the royal family at former periods, because I am quite willing to admit that those cases form no necessary rule for guiding the subsequent discretion of the House of Commons. It is perfectly open to the House to consider the various circumstances which at the present time ought to guide and influence their decision upon this subject. I therefore only allude to the principle upon which allowances to the female branches of the royal family have been regulated; that principle being, as I have already said, to assume that the parent during his life-time would make provision for his daughter, and that Parliament would grant an allowance, its payment being contingent upon the death of such parent. Thus, in the year 1778, George the Third was enabled by Parliament to allow an annuity of 30,000*l.* as a provision for the five princesses, his daughters, to take effect after his Majesty's demise. So, again, in the more analogous case of the present Princess Sophia Matilda of Gloucester, for whom provision was made, to take effect on the death of her father, his Royal Highness the Duke of Gloucester. I shall content myself with mentioning these cases, which will at once show to the House that it is not necessary for me to enter into any details upon the subject. And, notwithstanding the preliminary objection which has been raised by the hon. Member for Montrose—that objection has not in the slightest degree abated my assurance that hon. Gentlemen on both sides cordially participate in the most earnest wish I expressed for the happiness of her Royal Highness the Princess Augusta of Cambridge and his Royal Highness the Duke of Mecklenburg Strelitz, and that there is but one unanimous feeling and cordial wish that every happiness may attend them in their union. The amount of the provision which I propose for her Royal Highness is one which I hope will satisfy the House that every consideration which ought to have been given has been duly attended to in making a provision of this nature. The provision I mean to propose for the sanction of the House is, that her Majesty in the event of the marriage taking place between her Royal Highness and the Duke of Mecklenburg Strelitz (it is necessary to add these words), should be empowered to settle upon her Royal Highness the sum of 3,000*l.* per annum, that sum to be paid upon the death of his Royal Highness the Duke of Cambridge. I will not draw any contrast between the amount of the sum I now propose and the amount of the sums granted at former periods. It will be at once seen to be very considerably less, while the House will bear in mind that no immediate vote is asked for. Acting upon the principle that his Royal Highness the Duke of Cambridge will make provision for his daughter during his life, I propose that when the annuity which his Royal Highness now receives shall cease, her Majesty shall have the power to confer upon her Royal

Highness the Princess Augusta of Cambridge an annuity of 3,000*l.* This I submit for the sanction of the House. The right hon. Baronet moved the following resolution,

> "That an annuity of three thousand pounds be settled upon her Royal Highness the Princess Augusta Caroline, eldest daughter of his Royal Highness the Duke of Cambridge, upon her marriage to his Royal Highness Frederick, Hereditary Grand Duke of Mecklenburg, Strelitz, the same to take effect from the decease of his said Royal Highness the Duke of Cambridge, and to be charged upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland."

Mr. *Mackinnon*—I trust, Sir, the purpose of my amendment will not be misunderstood. I do not intend in any manner to oppose the right hon. Gentleman at the head of the Government, but to suggest an alteration in the proposal he has made that will, I think, save money to the country, and which, I am also certain (I speak from unquestionable authority), will be most acceptable to the parents of both the parties interested. The proposal of my right hon. Friend is to make a grant of 3,000*l.* a-year to Princess Augusta of Cambridge, to commence on the decease of her father, his Royal Highness the Duke of Cambridge. My amendment is, to reduce the grant from 3,000*l.* to 2,000*l.* a-year, to be made payable from the day of her marriage. I have already stated, and I now repeat it, that such a sum, although less in amount, will prove more acceptable to the illustrious couple, and this, I think, can be easily imagined; parties when they settle in life like to ascertain their income so as to regulate their expenditure—an income derivable on a contingency is never so desirable as one settled on the marriage; a young couple living on an expectancy either retrench too much or the reverse, and under any circumstances any addition of income, arising from the decease of a beloved parent, can never be the source of much enjoyment in its future anticipation. As far, therefore, as the reversionary grant refers to the parties most interested, I think it rather objectionable. Now, in reference to the advantage to the public: The annuity of 2,000*l.* a-year at present is more advantageous than 3,000*l.* a-year of the life of the Duke of Cambridge, which will appear as follows. Taking the Princess's age at twenty-two, her chance of life may be estimated by the new tables of annuities at thirty-three years. The chance of life of his Royal Highness the Duke of Cambridge, taking him nearly at seventy-two years of age, is about nine years, deduct nine from thirty-three and there remains twenty-four, which multiplied by three, give 72,000*l.*, now multiplying thirty-three by two gives only 66,000*l.*, so that my amendment gives the country a payment of 66,000*l.* in lieu of 72,000*l.* Now, Sir, it may be said that a precedent will hereby be established of giving to the younger branches of the Royal Family an annuity during the life of their parent, but the only parties to whom this can by any possibility apply, at present, are the other two children of his Royal Highness the Duke of Cambridge, and at this moment there is no chance of their entering into the married state during the life of their father. If, therefore, the amendment that I propose is more acceptable to the parties interested, and to the respective parents of each—if it appears more beneficial to the interests of the country by making a less charge, and saving 6,000*l.*, according to the tables on annuities—if no particular precedent is created, I confess I am at a loss to perceive what objection can be made on any other ground. I am not asking for a large grant, I ask for one of less value, but more acceptable from its immediate operation to the parties concerned. A precedent is to be found when the Princess Mary, daughter of the Duke of York, obtained a grant from Parliament of 40,000*l.* on her marriage with the Prince of Orange. Sir, I am well aware there is a feeling in the country, and in this House, that as his Royal Highness the Duke of Cambridge was, for many years, Viceroy in Hanover, he had an opportunity of saving very large sums of money, and, therefore, that he ought to give a good portion to his daughter. Sir, I can state from positive and direct authority, that these statements are exaggerated, that the greater part of the Duke's annuity from Parliament was expended in this country during his residence abroad, and that if the grant is not made in the manner that the amendment which I propose suggests, his Royal Highness will be obliged to make some retrenchment in his domestic expenditure to meet the additional expense of the marriage of his daughter. Now, Sir, before I sit down, I will make only one observation as regards the grant of annuities to the Royal Family, which, I am fully aware, has been considered by some persons as invidious, and an unnecessary waste of the public money. Sir, if you have a Royal Family you must keep up their dignity, and those persons who cavil at the annuities granted seem to forget the large revenues given up formerly by the Crown which would have enabled the Sovereign, had they been continued, to grant annuities to the younger branches of the Royal Family, without any additional burthen to the State, or without any application to Parliament—that power being, by the surrender of the revenues, taken from the Crown, it surely behoves Parliament to provide, I do not mean in an extravagant or inconsiderate, but in a considerate and prudent manner, for the descendants of the Sovereign to the second generation at least, to grant that income to supply their wants, and keep up the dignity of the junior branches of the illustrious house of Brunswick, who must in this, as well as in all future cases, rely on, and depend on, the kind and loyal sentiments of the House of Commons. As this amendment is, therefore, more agreeable to the young persons most interested, as it is beneficial to the interests of the public, as it does not involve, in any manner, a precedent beyond what has already been admitted to apply to the grandchildren of the Crown, I confess I see no reason, and, in fact, I feel at a loss to discover any argument, that can be adduced why it should not be adopted. I will only add, that I have authority to state, that such an arrangement would be most satisfactory to the illustrious parents of both the parties more immediately interested in the business.

Sir *R. Peel* differed entirely from the calculation of the hon. Gentleman. It was true that an annuity of 2,000*l.* was nominally less than one of 3,000*l.*; but it was by no means a matter of certainty that an annuity of 2,000*l.*, commencing from the marriage of her Royal Highness, wss in value less than an annuity of 3,000*l.*, contingent on the death of the illustrious father of her Royal Highness. If, then, it should prove that by converting an immediate annuity of 2,000*l.* into capital it should really represent more than a contingent annuity of 3,000*l.* would do, the proposition of the hon. Gentleman would in effect be to increase the grant proposed by her Majesty's Government; and this the committee must be aware it was not competent for the hon. Gentleman to do.

Viscount *Howick* said, that it was not competent for the hon. Gentleman to embody the whole of his proposition in one amendment. He must in the first instance move to substitute the word "two," for the word "three;" and then, if that were carried, he must in a subsequent resolution move that the annuity do commence from the day of the marriage of the Princess, instead of from the time of the decease of his Royal Highness the Duke of Cambridge.

Mr. *Mackinnon,* finding the committee, generally speaking, adverse to his proposition, would withdraw it. He assured the House he had only acted under a conscientious feeling that he was proposing what would have promoted the comfort and happiness of their Royal Highnesses, and that he was merely doing that which he could wish any one would do towards him under similar circumstances.

Amendment withdrawn.

Question having been again put on the original resolution,

Mr. *Williams* expressed a wish that the right hon. Baronet, instead of referring to what has been the practice in similar cases with respect to our own native princes and princesses, had referred to what had been the practice in respect to the numerous alliances which had been formed between German princes and princesses with members of the Royal Family of this country. He would have found it difficult to discover that any former royal princess, in forming such an alliance, had ever received one single farthing of fortune from the country. And he should like to know, in the present state of the country, what pretence there was to change that custom, and to make that change so much in favour of these German princes and princesses. He considered that his royal highness had had an ample allowance of the public money to enable him to provide for his own children. He was in the receipt of 27,000*l.* a-year; he was colonel of two regiments, each of which had two battalions, and he had been recently created head ranger of two of the Royal parks. [An hon. *Member*: There are no emoluments.] That was perfectly marvellous; and he was delighted to hear that his Royal highness had undertaken the duty of those two departments without any pay. His Royal Highness had had peculiar opportunities for realising money sufficient to make provision for his children, because during many years he was viceroy of the kingdom of Hanover. No doubt the emoluments of that office were quite sufficient to meet all his expenditure; and common report did say, that his Royal Highness had, in consequence of these numerous appointments and emoluments, been enabled to amass a large private fortune. Upon what ground, then, was the Government justified in asking for public money to pension the daughter of a person in his Royal Highness's exalted station, when it was laid down in their poor-law that the wretched being who received the pittance of 7*s*., 8*s*., or 10*s*. a week wages, was bound to provide for all his family, however numerous it might be; and which law, not only made every father, but every grandfather, labour for their children and grandchildren. Why not apply the same just principle to the case now before the House? But there was one very remarkable circumstance connected with the present parties. The reigning Duke of Mecklenburg Strelitz, the father of the intended husband of the Princess Augusta of Cambridge, and who he presumed was a relative of her royal highness—had been receiving 2,000*l*. a-year from this country ever since 1798, being being now 45 years. The principal, interest, and compound interest of the money thus received by him amounted to upwards of 300,000*l*. This large sum was extracted from the pockets of the hard-working people of this country. Was it not enough that the father should be pensioned on the country, without making the son also a pensioner? The amount of money at this moment allowed by the country to German princes and princesses, allied to our royal family, was not less than 200,000*l*. a-year. Was not this enough in all conscience, without making any addition? But upon what pretence was it proposed to be made? He presumed it was on account of the relationship existing between the Princess Augusta of Cambridge and her Majesty. If that were the ground, then, upon the same principle the people ought to provide for all the relations of her Majesty standing in the same degree with her royal highness. In that case there would be a pretty long line to provide for. The present distressed state of the country rendered the proposition now before the House wholly unjustifiable; and he should feel it his duty to give every opposition to the grant. It was no argument to say that the money would not be asked for at the present moment. If not, then that was a reason why the proposition should not now be brought forward. But he objected to the vote on principle. It was wrong for the House to provide, at the expense of the industry of the country, for any individual whatsoever, and especially for so distant a relation of the Sovereign as was her Royal Highness the Princess Augusta of Cambridge [*question question*]. He wished it to be distinctly understood that he did not offer this opposition from any disrespect to the Duke of Cambridge. He believed that his royal highness had been in the management of his money matters exceedingly prudent, and had set a noble example. He objected to it upon public grounds. It was wrong in principle, and, therefore, he opposed it.

Sir *Howard Douglas:* Sir, I cannot give a silent vote on this interesting subject. I hope the committee will permit me to remind it, that the amiable princess for whom we are now called upon, by royal message, to make suitable provision, is the grand-daughter of the illustrious monarch who surrendered to Parliament the hereditary revenues of the Crown, in consideration of a civil list of limited amount, settled on the Crown for the maintenance of the royal household, and other charges for public services. This immense patrimony, the ordinary revenue of the Crown, was capable of vast improvement and augmentation. The public have greatly benefitted by this arrangement; and I hope the House will feel, that the compact thus made, between the king and his Parliament, imposes upon this House, a moral and political obligation, to make the grant now required, and thus to provide for the grand-daughter of that good and illustrious monarch, who divested himself, for the public good, of the means of doing this, by rendering himself dependent upon his Parliament, for a fixed sum calculated only for the actual support and maintenance of the royal household, and the other charges on the civil list.

The hon. Member for Coventry has represented the illustrious Duke as being colonel of two regiments, each of two battalions, and deriving great emoluments from both. His royal highness is only honorary colonel of the two battalions of the 60th, and derives no emolument whatever from being colonel of that corps. Sir, I have had the honour of the notice of the illustrious Duke for many years. Knowing the virtues private and public of that illustrious prince; knowing and admiring the manner in which, through life, his Royal Highness has discharged all the duties appropriate to his exalted rank and station; knowing that his Royal Highness is unable to make that provision for his royal daughter, which I think this House is morally and politically bound to do, under the circumstances which I have stated — I give my cordial support, and my willing vote in favour of the very reasonable and very moderate arrangement proposed by the right hon. Baronet at the head of her Majesty's Government, and trust the committee will respond, unanimously and unhesitatingly, to that proposition.

Mr. *Hume* did not think that the House was prepared to enter into any details, and after the statement of the right hon. Baronet, it would be fit for the chairman to report progress and ask leave to sit again. There could be no objection to fix an early day for the revival of the subject.

Committee, after some conversation, was ordered to report progress. House resumed committee to sit again.

BOROUGH OF SUDBURY.] Colonel *Rushbrooke* rose for the purpose of moving that a new writ be issued for the election of two Members for the borough of Sudbury. The hon. and gallant Member referred to the recent proceedings in the House of Lords with regard to this unfortunate and persecuted town, and contended that, as the bill for disfranchising Sudbury had been thrown out in the House of Lords, it would be most unfair to subject the acquitted party to a second indictment. He moved that the writ do issue.

Mr. *Tufnell* said, that, in proposing the motion of which he had given notice, he was actuated by a wish to maintain the character of that House, and by a desire that the corruption which had notoriously prevailed at elections in the borough of Sudbury might be properly and fully investigated. When he looked at the evidence which had been adduced before a select committee of this House as to the prevalence of that corruption,—when he considered that evidence in connexion with the former history of Sudbury, he thought it was incumbent upon that House, after having already passed an act for the disfranchisement of the borough, to see—before they consented to the issue of a new writ—whether some measures might not be adopted for preventing similar corrupt practices in future. He would not attempt to impugn the course which had been pursued in another place with respect to the bill for the disfranchisement of Sudbury; but he believed that not one of the witnesses examined before the select committee of that House had been examined by the other House. He hoped the House would indulge him if, for a few moments, he referred them to the history of the borough of Sudbury. Before the passing of the Reform Act its constituency consisted of about 900 persons, a very considerable number of whom were non-resident. Sudbury was fifty-six miles from London, but for election purposes the distance was called sixty miles; and every elector resident in the metropolis received 1*s.* a mile for his travelling expenses in going down, and the same sum for returning, besides his personal expenses—eating and drinking—while in the borough. After the passing of the Reform Bill, the non-resident freemen were cut off; but corrupt practices still continued. When an election took place in 1832, immediately after the passing of the Reform Act, and when, if any spirit of patriotism existed in the minds of the people of that borough, it would have been called forth, he believed the greatest possible corruption prevailed—corruption as extensive as ever took place before, or perhaps had been practised since. Hon. Gentlemen were aware, that when an individual intended to offer himself as a candidate for any borough, his usual course was to visit that place a short time before the election; to state his principles, and by personal intercourse to endeavour to ingratiate himself with the constituency. But if a candidate for the borough of Sudbury had done so, he would have been laughed at by the electors. It was the custom for the candidates for Sudbury to go down on the night preceding the day of election; till that time not a promise was given; the constituency were all on the alert; and they looked to the opposition man as the great card with which they were to play. One of the witnesses examined before the

House of Lords stated, that he considered canvassing a mere form,—that it had been so of late years; that no promise could be relied upon; and that the electors were actuated in giving their votes by the price they could obtain for them. In 1832 Mr. Wrangham, a learned gentleman of considerable talent, was a candidate for the borough, and had apparently the fullest prospect of success. But what was the case on the day of election? Why, he found that even those persons who had promised their votes to him came up and polled for his opponents, having been bribed during the preceding night. The gentleman on retiring from the contest said—

> "I have not deserted my post while any hope remained; I have protracted the struggle long enough to see men, who no longer ago than last night solemnly renewed to me their often repeated promises of support, brought up to the hustings this morning in a loathsome state of intoxication, in that state turned into these booths, and then, without even the decency of removing the blue ribbons, which as a badge of their pledge to me still fluttered in their button holes, polled as plumpers for my opponent. Gentlemen, it is not for me to say what potent influence has been at work during the night to purchase this shameless and wholesale apostacy—you will draw your own inference; but this I will say, that I turn from such degrading practices, and from the willing agents in the work of pollution, with loathing the most unmeasured and ineffable."

From 1826 to 1841, a period of fifteen years, twelve elections had taken place in the borough of Sudbury; and there had been scarcely an instance of two persons of the same political opinions having been returned at consecutive elections. It was stated in evidence before the handloom weavers committee, that the electors were influenced in giving their votes by the mere consideration of how they could obtain the largest amount of money. In consequence of the proceedings which took place at the last election, a committee of that House recommended the disfranchisement of the borough, and a petition was presented by the hon. Member for Finsbury, signed by 150 electors, complaining of the practices pursued at that election; and, he believed, praying that the borough might be disfranchised. But it might be asked what course they ought to adopt? Should they suspend the writ indefinitely? To such a course he would decidedly object; he considered it most unconstitutional. What course, then, ought they to adopt? When the noble Lord the Member for the city of London (Lord J. Russell) introduced, last Session, a bill for the prevention of bribery, the right hon. Baronet opposite (Sir R. Peel) expressed his concurrence with the noble Lord as to the difficulties which existed with regard to the disfranchisement of boroughs. The right hon. Baronet said—

> "The other defect which I wish to allude to, is the difficulty, so far as the boroughs are concerned, of obtaining results satisfactory to Parliament and the public. We appoint a committee of inquiry; the committee reports the existence of systematic bribery; the inquiry goes to the Lords, and is not proceeded with during the Session. In the meantime, the feelings which led to the presentation of the petition have died away. The electors meet; they say, why should we proceed with this? Shall we not be charged by posterity with causing the disfranchisement of the borough? and is it not much better to withdraw the evidence from the House of Lords?"

He did not blame the House of Lords for the course they had taken with respect to the bill for the disfranchisement of Sudbury; for, if they had no means of forcing evidence before them, they were justified in throwing out the bill. What course, then, was it advisable that that House should adopt? The right hon. Baronet (Sir R. Peel) had proposed the appointment of a joint committee of Members of both Houses to inquire into general allegations of bribery; but, on subsequent discussion, the clauses proposed by the right hon. Gentleman with that object were withdrawn. The noble Lord the Member for Liverpool (Lord Sandon), in the debate to which he had alluded on the introduction of the bill of the noble Lord opposite, threw out a suggestion which he (Mr. Tufnell) had adopted. The noble Lord said—

> "He should therefore prefer that, in place of the tribunal suggested, a power should be given to the House, on a *primâ facie* case of bribery being established against a borough, to address the Crown to send down a commission of inquiry to the spot, and that the report of that commission should be taken as the basis of any proceedings on the part of the Legislature."

This course was, he conceived, much less liable to objection than the other. The great difficulty with regard to it was, as to the weight which would be given to evidence so taken by the House of Lords, —whether, in the event of such evidence inducing this House to bring forward a disfranchisement bill, the Lords should be content to take the evidence as it then stood, or would demand fresh evidence. He hoped the Lords would be content to receive the evidence which might be taken by such a commission—and that, if it were considered satisfactory by this House, the Lords would adopt it. He proposed, by the bill which he now begged leave to introduce, that two commissioners of inquiry should be appointed by the Crown, and that they should have full power to examine into the corruption which had been practised in the borough of Sudbury, conducting their inquiry either in Sudbury, or within a certain distance from that place. He had modelled his bill upon that introduced last Session for the appointment of commissioners of inquiry into the Exchequer-bill frauds. He proposed that the commissioners should be armed with every necessary power; that they should have power to send for persons and papers, to examine witnesses upon oath, to impose penalties for non-attendance, and for refusal to give evidence, and to grant certificates of indemnity to persons who made full disclosures. He might be allowed to refer, for a moment, to the course which had been pursued in the House of Lords, as to warning the witnesses. It seemed that the noble Lord on the Woolsack informed every witness that he was not bound to answer any question which had a tendency to criminate himself; but that he was at liberty to do so or not, as he thought proper; and that, if he made a full disclosure of what he knew, though it might tend to criminate himself,—yet, if he did so to the satisfaction of their Lordships and of the Lord Chancellor, he should receive a certificate of indemnity from all consequences. Now, the House must remember what was the description of the witnesses to whom this caution was given;—they were corrupt witnesses. They were told,—"You are not bound to answer any question, if it has a tendency to criminate you, but you are at liberty to do so if you please; and if you do so you must tell the whole truth, or you will not be entitled to a certificate of indemnity." He was not surprised that the witnesses had construed this warning into a license to say what they pleased. The warning was certain, but the indemnity was uncertain; and he could not wonder that the witnesses had construed the advice into a recommendation to say what they pleased, so long as they did not criminate themselves. The corruption which had for so long a period existed with regard to elections for the borough of Sudbury had produced the most disastrous effects on the morals of the inhabitants. This fact was stated by the handloom weavers commissioners in their report. The chairman of the board of guardians stated, before the commissioners, that the injurious effects upon the morals of the people produced by contested elections had been far more extensive than the improvement effected by the efforts of all the ministers of religion. He was sure that, had the noble Lord the Member for Dorsetshire (Lord Ashley) been in his place, he would have supported him in his endeavour to remove the source of so much corruption and debasement. But not merely were the lower classes affected by this system, but even the morals of the higher classes were debased by it. It could hardly be expected that the starving electors should resist temptation; but the guilt of the rich man who went down to the borough in order to corrupt the poor was of a much heavier description. Upon this point he must refer the House to the evidence of Mr. Gooday, taken before the House of Lords, which, among others, contained the following questions and answers:

"Had you any other reason for not giving him 60*l.* to buy his vote, except that you had not 60*l.* to give him?—Yes; I would not bribe the man.

"Because you thought it a crime to bribe him?—Yes.

"Do you think it is any crime in a man to be bribed?—Yes.

"Do you think it would have been a crime in the man to be bribed by Mr. Massey?—Yes.

"You had a great objection to bribing him yourself, because you thought it was criminal; but you had no objection to take him to Mr. Massey, that Mr. Massey might commit the crime?—Such was the case.

"That is the nature of your conscience, is it?—No.

"You have no conscience, perhaps?—I may have a conscience, and not exactly in the position in which it is placed by the question.

"Then your conscience is of this kind, that it prevents you from inducing a man to commit a crime by buying his vote yourself, but it does not prevent you from taking a man to another, that that man may commit a crime, and buy his vote?—My conscience succumbed to the circumstances."

Yet Mr. Gooday, who gave this evidence, belonged to a highly respectable class, and what he said showed the general laxity of morals in Sudbury among high and low. If any other way could be suggested by which a full inquiry would take place, he was not wedded to his own views, nor would he set himself in opposition to those of other hon. Members. One reason which had induced him to take up the subject was, that he had seen in 1834, and during the last Session, how great was the difficulty of introducing a general measure; they might all see circumstances of great corruption in a borough, and yet they might not be able to get a bill applying a remedy through both Houses. Two ways had been proposed to apply a remedy; one was by a joint committee of the two Houses of Parliament, and the other was by a commission to be appointed by the Crown. It was difficult to say which was best; and if the House could ever be allowed to make an experiment *in corpore vili,* he thought Sudbury was a very fit subject, and the result of that experiment would guide them in future legislation; for, even if it failed, it would show that they must adopt some other measures. In bringing forward this motion he was not acting upon party political views; he had refused to attend to the solicitation of one party or the other. His sole object was to uphold the character of the House, and to amend a gross defect in the representative system. This was all he sought, and he would conclude by moving as an amendment,

"That leave be given to bring in a bill for an effectual inquiry into bribery and corrupt practices alleged to exist in the borough of Sudbury."

Mr. *Williams Wynn* said, that if he had to choose between the two propositions before the House, he should not hesitate to adopt that of the hon. Gentleman who had just sat down. The case before them was indeed a most extraordinary one. An election committee of that House had unanimously voted that gross bribery had taken place in the borough of Sudbury, and recommended to the House, that a bill should be brought in to disfranchise it. A bill was accordingly brought in; no petition was presented by any party to be heard by counsel against it; no person appeared to oppose it, and it passed that House with apparent unanimity. The bill was sent to the House of Lords, and there he found the case had entirely miscarried. Their first duty then appeared to be to inquire into the reason for this different decision of the two Houses. They had asked the House of Lords for the evidence taken at their Bar. He had looked it through, and it was the most extraordinary document that had ever fallen into his hands. He was totally at a loss to account for the manner in which the inquiry was conducted, for the persons who were entrusted with its conduct, and with the evidence which was brought forward in its support. In the first place, he saw the two counsel who, as counsel for the petitioners against the return, had established the case against the borough, acting as counsel against the bill, and defending the borough. If he looked a little further he found, that the two gentlemen who had been retained to defend the sitting Members in the Commons were the counsel who were employed against the borough in the Lords. This did seem the oddest choice that could be made. He had made some inquiry, and he found that the bill was not entrusted to the petitioners against the return, but that an agent was employed for that purpose by the Treasury. After seeing that the counsel employed had completely crossed hands, he looked at the witnesses which had been examined, and he found that there was but one witness called before the Lords who had been examined before the election committee. Stress had been laid upon the caution given to the witnesses that they need not criminate themselves. In courts of justice it frequently happened, that appeals were made by witnesses against giving evidence which might criminate themselves, it was common for witnesses so to excuse themselves from giving evidence, but it was no ground why, having given evidence, a witness should perjure himself by saying, that he knew nothing of a transaction of which he knew all. He could not see, on reading the evidence, therefore, how, if the Indemnity Act had compelled the witnesses to give evidence, the House of Lords would have got a word more out of the witnesses than they did. He thought, that it would be well to institute an inquiry into these circumstances before they addressed the House for a commission, a step which ought to be well considered before it was taken. He might be thought to have too great a constitutional jealousy of the Crown; but he did not like, in a case where a gross breach of the privileges of that House and of Parliament was involved in the inquiry, that the Crown should select the commissioners. What he would suggest was, that a committee should be appointed to inquire into the reason for the difference between the witnesses produced before the Lords and Commons, and why material witnesses examined before the Commons, were not examined before the Lords. If any one believed that there had been collusion, and that the parties on both sides had agreed not to produce the necessary evidence, that circumstance called for serious inquiry. He did not think that there was the slightest ground for reflecting on the House of Lords; for, if they looked at the evidence, it would be found so defective that it was not surprising they should think it a waste of the public money to continue the inquiry, unless more could be substantiated. If the committee were granted, he would propose to call before them, firstly, the agents, and ask them why they had not summoned the witnesses; and, secondly, he would call the counsel, whom he would ask why they declined to continue the examination. They were gentlemen of the highest character, in favour of whom everything ought to be inferred and presumed; but, at the same time, the case was so extraordinary, that the House would not do its duty if it did not adopt means for examining into the question, and seeing whether the case had been honestly and properly brought forward; and if it had not been, this would be a sufficient reason for sending a fresh bill to the House of Lords. When he found a witness stating that he had received two guineas, that he then went and voted, upon which he received a ticket and that on a person looking at the ticket through a window four guineas more were received—when he found that this was not a single case, but that six or seven other voters gave the same evidence, that 150 tickets had been distributed, and that at the time this took place, none but voters being allowed to go up that such was the crush that the staircase was literally broken by those crowding to go up, he could not conceive how a stronger presumption of general bribery could be made out. As there was an amendment already before the House, he could not move his; but should the hon. Gentleman give him the opportunity, he would move that a select committee be appointed to compare the evidence given before the House of Lords, on the Sudbury Disfranchisement Bill, and the evidence taken before the committee on the Sudbury election petition, and to report the circumstances why material witnesses, examined before such committee, we were not examined at the Bar of the House of Lords.

Mr. *Tufnell* said, that as the right hon. Gentleman proposed his amendment as a preliminary inquiry to further proceedings, he would have no objection to withdraw his own amendment.

Amendment withdrawn.

Mr. Wynn's amendment was read from the Chair.

Colonel *Rushbrooke* felt his inequality, when he was opposed to the right hon. Gentleman; but he must ask whether Sudbury was to be made the scapegoat for other boroughs, which might on inquiry, be found to be equally delinquent, though they had been more prudent and circumspect in their proceedings? A respectable witness (Mr. Warner) a Liberal, gave this evidence:—

> "Do you believe that there are a considerable number of respectable tradesmen in Sudbury who are quite incapable of taking bribes for their votes?—I think there are.
>
> "Should you say that they form the majority of the respectable tradesmen of Sudbury?—Yes; I should say the majority of them would not do it."

Nor was the inquiry closed without every opportunity being given to the parties to produce evidence. This was the way it ended:—Counsel were called in, and informed, that the House wished to know from the learned counsel for the bill, "whether, exercising their best judgment, and looking to all the sources of information of which they were masters upon this question, they are of opinion that there is a reasonable probability of making out a case of general corruption of the borough;" that, if there was, in their opinion, any reasonable probability of such a case being made out, of course the inquiry must be pursued, but that, if there was no such probability, the House considered that it would be an idle waste of time and of public money to continue the inquiry. The counsel stated, that, considering the result of the examinations of the witnesses called on the former day, as well as of those who had been called to-day, he did not think it probable that he should succeed in making out a case of general corruption against the borough. The counsel were informed, that if they wished to have time to consider this question, reasonable time should be allowed for that purpose. The counsel stated that in the interval of their withdrawment from the bar, he had conferred upon the subject with his learned colleagues, and that he did not think it necessary to ask for time for that purpose; and that it appeared to him to be his duty to desist from this inquiry, as he did not think it could proceed with advantage to the public. The counsel were further informed that they must decide for themselves whether they would proceed further; that their Lordships left it entirely to them, and proposed that they should take a day to determine. The counsel replied that they had already made up their minds, and should offer no further evidence, and that proceeding further with the bill would, in their opinion, be a waste of time and money. Considering, also, the length of time during which this borough had been unrepresented, he would ask the right hon. Baronet below him (Sir R. Peel) whether he would not give way to the pressure of circumstances, and whether he would still persevere in opposing the writ?

Sir *R. Peel* thought this was a question of considerable difficulty and of very great importance. The House had almost unanimously resolved, or at least there was an immense preponderance of opinion that the borough of Sudbury was so corrupt as not to be entitled to have continued to it the privilege of sending Members to Parliament. In coming to that opinion, the House took into its consideration the evidence on which an election committee came unanimously to the resolution of calling the attention of the House to it. He should, therefore, think it painful for any one, if any alternative could be found, to vote at once that this borough of Sudbury was entitled to this privilege. He thought, after the vote which had been almost unanimously come to, that the borough of Sudbury was not so entitled, they should adopt some proceeding before they issued the writ. At the same time the proposal of the hon. Gentleman (Mr. Tufnell) was very novel; it was that a commission should be appointed by the Crown to make further inquiry. He proposed to pass a bill for the purpose, but in a bill so passed by the Commons, the House of Lords must concur. If they sent such a bill to the House of Lords without any intervening inquiry, he was not prepared to predict what view their Lordships might take; and if such a bill were rejected, the House of Commons would have no alternative but to issue the writ. In his opinion the proceedings of the House of Commons and of the House of Lords suggested grave matter for consideration. The House of Commons were convinced that the borough of Sudbury ought to be disfranchised, but in the House of Lords there had been a complete failure of evidence. This was a strong proof that the jurisdiction in cases of this kind was defective, and that if the strict rules of jurisprudence were observed in these cases there would always be these failures. It occurred to him that it might be possible to predict cases in which, after the heat of the contest had subsided, the two parties might consider whether or not it was wise to proceed further; whether or not both parties would not be sufferers; whether or not the town of which they were electors would not lose a valuable privilege; whether or not it would not suffer in general estimation by public exposure, and whether or not under such circumstances it would not be to their common advantage to suppress the evidence. He thought they should adopt some course to prevent such a state of things. He reserved to himself the power of considering whether the bill of the hon. Gentleman was a proper one; but he was sure that they would lay better grounds for its passing if, by a preliminary inquiry, the House of Commons should have ascertained the cause of the former failure. The House ought to make this inquiry, for the Treasury had given every facility for the prosecution of the bill. It had allowed the parties to select their own agents, and great expense had been incurred. When he looked at the personal character of the witnesses, he wished to know why the parties who had been examined before the House of Commons had not been summoned before the Lords. If this evidence had not been summoned in consequence of the two parties in Sudbury agreeing, the facts were most important, and if the evidence should show an agreement between the parties to suppress testimony, it would not only warrant the House in passing a particular bill relative to the borough of Sudbury, but also to give a more extended general power. If, again, the answers of the agents should be that the reason they could not procure more evidence was, that through this agreement between the parties they were unable to produce it, that again would be an important fact to be known, not only in this case, but as the foundation for future proceedings. He could not help thinking that by means of a committee of the House of Commons, composed of high authorities in that House, important light would be thrown on this transaction. He was sure, looking to the future, that if the special circumstances of this case should call for proceedings, they would have a better chance of success than if, without any inquiry, they should send up a bill to the other House. He hoped, therefore, that the course recommended by the high authority of his right hon. Friend would be adopted unanimously. After the vote which he had formerly given, and in which as he thought, he was fully justified that the borough of Sudbury had so conducted itself that it ought to be disfranchised, he would be unwilling to vote for issuing the writ till this inquiry had taken place, and, of course, for such purpose, he would assent to the necessary suspension of the writ.

Lord *John Russell* came down to the House prepared to support the amendment of his hon. Friend (Mr. Tufnell), thinking that it was reasonable. The basis of the measure of his hon. Friend, and of the amendment proposed by the right hon. Gentleman was, he believed, the same, namely, that after the evidence had induced the House to take the strong step of passing a bill to disfranchise the borough, it was not fit to issue a writ without inquiry. The right hon. Gentleman the Member for Montgomery, an authority which always deserved the respect of that House, and the right hon. Baronet thought that another proposal would be a better mode of ascertaining the truth, and of obtaining the assent of the House of Lords to the passing of a further bill. His hon. Friend would therefore have been acting unwisely if he had persisted in his opposition to the right hon. Gentleman, and had not agreed to his amendment. From former experience, his own impression was, that the House of Commons would often have sufficient evidence to warrant them in passing such bills, but that in the ulterior proceedings in the House of Lords there would be similar failures. It was with a view to remedy this that he made his proposal in the bill of last Session. If they were to deal with the corruption of these boroughs, he was convinced that some other mode of proceeding was necessary; and he was persuaded that the proposition to which all would ultimately come, would be for some kind of commission.

Mr. *Thesiger* had seconded the motion of his gallant Friend; but after the discussion which had taken place, suggested the expediency of withdrawing the motion for the writ. When there were proceedings of this extraordinary nature; when the selection of counsel itself suggested a fair suspicion of the conduct of the case, it would be hardly proper that the writ should be sent down without inquiry.

Colonel *Rushbrooke* was ready to acquiesce in the suggestion of his hon. and learned Friend, and would withdraw his motion.

The *Attorney-General* was desirous only of stating that the caution given by the Lord Chancellor to the witnesses, that they need not answer questions to criminate themselves, was, he believed, in accordance with the invariable custom of all who had occupied that high office.

The original question and amendment were both withdrawn, and a select committee appointed—

> "To compare the evidence adduced before the House of Lords, in the case of the Sudbury Disfranchisement Bill, with the evidence taken before the Sudbury Election Committee of the House of Commons, and to report upon the circumstances under which material witnesses examined before such committee were not produced at the bar of the House of Lords."

Writ for Sudbury not to be issued before July 10th.

EXPORT DUTIES ON COALS.] Sir *George Clerk* moved that the House resolve itself into a committee of Ways and Means,

Viscount *Howick* rose to propose the amendment of which he had given notice, and to bring under the consideration of the House the propriety of repealing the law with reference to the exportation of coals, which was imposed during the last Session of Parliament. He felt that he was bound to make some apology to the House for the manner in which he brought this subject forward. He was most averse to make such a proposition by way of amendment to the motion for a committee of supply, or ways and means, and so interrupting the course of public business; but it was of the greatest importance to the persons engaged in the coal trade, that the views of the Government, and the opinion of that House should be immediately made known as to the course intended to be pursued with reference to the permanence of the existing tax. But for circumstances, however, which had occurred, he alluded to the failure of a large house on Thursday, and the recently expressed determination of the Government to appropriate to themselves every day in the week but one for public business, he should not have adopted this mode of proceeding; but, considering those circumstances, he felt it to be his duty to bring forward his motion without delay; and he was encouraged in this course by the consideration that it would not be very inconvenient to the Government. In introducing the subject, he begged to intimate that his object was to repeal the tax imposed during the last Session of Parliament. According to the forms of the House such a motion could only originate in a committee of the whole House. In considering such a question, it would be right that they should look to the grounds on which the tax had been imposed. And he begged to remark, that it had not been imposed for the purpose of checking the trade in the exportation of coal—it was not the intention of the Legislature to discourage that trade, under the impression that the supply of British coal was likely to be exhausted after the expiration of a short time, and that we should, therefore, economise the consumption as much as possible. It had been calculated that the supply of coal in the north was amply sufficient to last for 1,700 years; and an eminent geologist, who had sought to controvert this proposition, had himself admitted that, taking into consideration the coal fields of Wales, the total supply would be amply sufficient for 2,000 years to come. They had not been called upon, therefore, to impose this tax with a view to prevent that which might prove injurious to this country; but, on the contrary, the right hon. Gentleman the Chancellor of the Exchequer, and the right hon. the President of the Board of Trade (Mr. Gladstone), had expressly stated their belief that so small a duty as that which was proposed would have no operation in checking the foreign demand for this most important article of export. The right hon. Baronet, the First Lord of the Treasury, in his celebrated speech in introducing the budget on the 11th March, 1842, had said :—

> "I cannot conceive any more legitimate object of duty than coal exported to foreign countries. I speak of a reasonable and just duty, and I say, that a tax levied on an article produced in this country—an element of manufactures, necessary to manufactures, contributing by its export to increase the competition with our own manufactures—I think that a tax on such article is a perfectly legitimate source of revenue. I wish not at all to prohibit the export of coals, but I propose that the duty at first intended to be levied on coals exported in foreign ships should be paid, and with this view I propose that the duty of 4*s.* a ton shall be levied on coal exported in British as well as in foreign ships; thus removing the exemption which, under the reciprocity system, the foreign ships claim, and also removing all grounds of complaint. If the duty of 4*s.* shall be paid on the same number of tons as are now exported, I shall then derive an annual amount from this source of revenue of 200,000*l.*—not an inconsiderable increase of revenue, and operating, as few taxes do, to the encouragement of native industry."

Those who were opposed to the proposition, had declared their belief that these views were most erroneous. They had shown, that the repeal of the export duties had been adopted on the recommendation of a committee to which had been referred the state of the trade and manufactures of this country, on the ground that that step would be the means of creating a very valuable trade; they had shown, that since that repeal the extent of the foreign trade in coal had rapidly increased—a circumstance attributable to the larger demand for coals on the continent, owing to the increase of the use of gas, and steam, and manufactures; that the exportation to France in eight years had increased tenfold: that there was no monopoly in the trade, and that it was not without difficulty that they maintained their price in the foreign market, but they had raised their voices in vain, and in spite of their assurances of the ill effects of such a measure, the tax was carried. The right hon. Baronet had said :—

> "The export of coals was in the year 1836, 916,000 tons; and in 1838, it amounted to 1,313,000 tons. This is strong indication that the article would bear a small duty, and I doubt whether a 2*s.* and a 1*s.* duty will have any effect in reducing the exports. Every town on the continent is now, or about to be, lighted with coal-gas, and the English coal is peculiarly adapted for that purpose."

The conviction of the fallacy of these arguments had struck the minds of all men engaged in the coal trade, and if the calculations of the Government as to the increase in the trade should turn out to be fallacious, he thought that it would be admitted that it was the duty of the House to repeal the tax which had been imposed. How stood the facts? It had been said, that the tax met with the consent of the trade. He, however, was not there to make the present motion of his own accord. He had proposed it in consequence of the expressed wishes of the trade. He held in his hand a resolution arrived at by a committee which had sat at Newcastle for the management of the coal trade of Northumberland and Durham. He would not trouble the House with the terms in which it was couched; but they were extremely urgent in their demand that he should bring forward this motion. He had entertained a strong opinion upon the necessity of the repeal of this duty, but he had not ventured to take any step with that view, without taking the opinion of these gentlemen in the first instance. He had presented on that evening, and several hon. Gentlemen had, on previous occasions presented petitions from the trade, framed in the strongest terms of condemnation of this measure; and he thought, therefore, he might take the suggested assent of the trade to the proposition of the Government as being altogether disposed of. And finding that the persons interested in the question with one voice declared that this tax had been most injurious to their trade, let him ask whether their statement was not supported by the evidence which he should be prepared to adduce. The return for which he had moved, afforded very important information on this point. He found by that return that the trade had continued to increase, and that in 1841 it had reached 1,500,000 tons, exclusive of the exports to British possessions; but that in the last half-year of 1842, it had only reached 598,000 tons, being a falling-off of 153,000 tons on the half-year. But probably, the fairest comparison which could be instituted would be between the quarters ending April, 1842, and April, 1843. In the quarter ending April, 1842, the exports of coals to foreign countries reached 389,000 tons, while in that ending April, 1843, it had fallen to 259,000 tons, that was a deficiency of 129,000 tons, or rather more than one-third the amount exported in the corresponding quarter before the imposition of this tax. But he did not rely on the mere evidence of the actual falling-off of the exports of coals. He had received some evidence as to the state of the prospects of this question; and he hoped, that he should not weary the House by bringing it forward. He should read to the House extracts of various letters which he had received, which appeared to him to be of very considerable importance. The first letter was from a gentleman who had the principal direction of one of the largest colliery estates in the north of England. His letter was dated 17th of May, and he wrote:—

"We have on hand 12,000 tons of oversea coals, round, besides small, lying at the pit's mouth, wrought since the 1st of January, expressly for exportation; and at this period last year we had not one ton, although we have wrought a smaller quantity during the present year than in the same period of the years 1841 and 1842."

He wrote again on the 31st of May, saying—

"Our trade at Sunderland has fallen away very much. Our heaps are daily increasing at the pit's mouth. I would recommend the dismissal of two hundred men and boys till heavy stocks in hand should be got rid of, but that they would have not the slightest chance of getting a day's work, great numbers being already out of work, and applying for relief, and that having nearly all gained settlements, they would have to be maintained at any rate. At present, I have a great number of orders for coals from France, but limiting the price of the coal and freight to such an amount as prevents me fulfilling them, the foreigner pays the duty here, which, if he was exempted from, would enable him to offer so much more price as would afford me the means of executing his commission."

In another letter he expressed himself thus:—

"Our correspondents in France, Germany, &c., buy the coals from us here at a certain price free on board, and authorise us to procure ships here at a certain freight per chaldron, and the limits which they have placed upon us this year are 10 per cent lower than last."

These statements were confirmed by other persons; and a gentleman who was engaged as the agent at Marseilles of a large house at Newcastle, long before any expectation of the imposition of such a tax was entertained, and in a general business letter, thus wrote—

"Notwithstanding the small number of vessels which have arrived here since the month of January, prices have not improved with us as the demand for English coal has decidedly fallen off very much. This is to be attributed to an amelioration which has taken place lately in the quality of the French coals, which are extracted in this neighbourhood, and who can afford to supply consumers at a price lower than what English coals can with profit be imported; there is no manner of doubt but that the export duty is very prejudicial to the English exporters, for we have not in one single instance seen prices rise in comparison with the duty, and upon so poor an article such a taxation as 2*s.* must fall very heavily."

Parliament, in the last year, had relied on the supposed impossibility of foreign countries competing with us in the article of coals; it was in vain that they had been warned that by the imposition of such a tax as was proposed, they were holding out a strong inducement to the foreign producer to raise and bring forward his own coals; this letter distinctly showed how completely true this warning had been, and how much they had miscalculated the consequences of their acts. He had received another letter, an extract of which he would read to the House from a gentleman at Glasgow, largely engaged in trade:—

> "English coal is cheaper in all the French markets than last year; the coalowner and shipowner have been obliged to pay, not only the duty, but a further reduction has been necessary to meet the increasing competition. When I say all the markets, I mean those with which I am daily in intercourse, say Bordeaux, Rouen, &c. I consider we have about lost the Dutch trade altogether. My partner at Stockton went over to close a contract of importance, but the proprietors of the German collieries got it. He left Amsterdam four or five weeks ago, without getting an order in the place."

He had several other letters to the same effect, with which he did not feel it necessary, after the strong testimony which he had already furnished, to trouble the House. But there was one remark which he felt it right to make. He had heard it suggested that it was impossible that a duty so small in amount as this could produce any serious consequences. He believed that this observation arose from an entire misconception of the case. There was not only the fact of the necessary additional cost arising out of the collection of the duty, but also the fact that the trade had been already subject to such competition that a very small addition in price would be more than could now be borne. A memorial had been presented to the right hon. Baronet in the course of the last year, remonstrating against the proposed tax. This memorial had been subsequently printed, and it stated that by this tax the small coal would be completely driven out of the market. At the present time this small coal, which was formerly exported, was being sold at Newcastle at from 1*s.* 3*d.* to 1*s.* 6*d.* the ton. It appeared from a communication which he held in his hand,

> "The small coals exported are chiefly screened from the coals wrought for home consumption, and must either be sold or burnt at the pit, and, therefore, the coalowner is glad to take any price for this description rather than have them burnt at the colliery, which frequently subjects him to considerable expense from the damage done to the adjoining land and crops; therefore, any price is taken rather than suffer them to be burnt, that will defray something more than the expense of leading them to the place of shipment, so that collieries at a great distance are still obliged to burn immense quantities. I was at Langley the other day, and very large quantities are being heaped up at the collieries in that neighbourhood, which this mild and wet weather will cause to ignite spontaneously."

The effect of the duty was then to induce the coal-owner to destroy a great portion of this valuable fuel, as it would not pay the tax, and the expense of moving to the place of exportation. He did not know how it was possible to make out a stronger case that the imposition of this tax had had the effect of discouraging the coal trade. He showed that the duty existed formerly, and was repealed nine years ago, and from that time the existence of the export trade in coal might be dated. The principle then adopted had fully answered the purpose proposed, and the trade had made gradual springs, and had every year increased. The right hon. Baronet, last year, had endeavoured to show that the imposition of this tax was politic, because this export coal trade was an increasing trade, and that the constantly increasing disposition that was manifested abroad for the use of steam and gas should operate with the House to impose ths tax; but he had proved the fallacious nature of these arguments, when he had shown that the export trade in coal had fallen off one-third since the tax was imposed, and that there were now large orders for coal that had been sent to this country that could be executed but for the existence of this duty; and, also, that the French market, which formerly was the most valuable market for our coal, had, since the imposition of the duty, fallen off one-half, and that this important trade with France, which had increased ten-fold in six years, had fallen off one-half in six months; and, also, that the Dutch trade in coal, which was our next most valuable foreign coal trade, had fallen off almost entirely. He would, therefore, ask whether this duty, which the right hon. Gentleman distinctly declared was never meant to check or discourage the trade, had not had the effect of doing so. And be it observed, too, that the mischief was only just beginning. It was a trade which grew up by degrees, and would not fall off at once. To increase the supply of coal abroad, it was necessary to increase the facilities for sinking pits, and by making railroads and water conveyances, to afford easier access to the markets; and to do this, much time was necessarily required. No doubt all these circumstances were in operation when the duty was imposed, but still this duty would operate as a most powerful stimulus to them, and that which we were now only beginning to feel from opening of coal-fields in France and Belgium, and Germany and Spain, would soon be most strongly experienced. It was well known that large capitals had been expended in producing coals in these countries and in conveying them to the places of consumption, and you might depend upon it that you would continue to feel more and more the effect of this pernicious duty in the encouragement and stimulus which it would give to the producers of coal in the countries he had alluded to. Do not suppose that when you feel the full effect of the operation of this tax that you will get rid of the consequences by merely repealing the duty. Far from it. There was a great difference between keeping a trade, and getting one back which you had lost. When you possessed a trade of this kind, the advantages were all of your side. There was an established connection, and your foreign customers were accustomed to look to you for the supply of the article, and to depend on you in their dealings and purchases. But when once you lost a trade, and afterwards sought to recover it, then the foreigner had all the advantage, and you had all possible difficulties in reacquiring a trade which had once been lost. This was particularly the case with regard to the coal trade, which never could be created, or carried on, without the investment of a large capital. It was well known that large sums had been recently invested in opening coal fields on the continent, and this tax would operate as a stimulus to this branch of industry in Belgium, Westphalia, and the South of France. The direct effect must be to encourage parties in these countries to embark in more extensive operations. It should be remembered, also, that when capital was invested in a pursuit of this kind, that it could not be withdrawn; and, although the coal might be sold at prices that would not pay in a distant market, still the owner of the mine would continue to work it at little or no profit. In some cases they would be glad to sell at any prices that they could obtain, as they would prefer working their mines on the chance of better returns at some future period. Was not this the case with the home market at the present time? How many collieries had been opened by parties who deeply regretted ever having expended their capital for such a purpose. The result, however, was, that they were obliged to make the best they could of a bad bargain, and sell their coal for what they could get. He believed, that almost every hon. Gentleman connected with the north of England could mention cases of this kind as coming within his own personal knowledge. By adopting this step, then, this country was tempting the foreigner to enter into further competition with us, and which he could not maintain if the Government at once made a reduction in this duty. He repeated, that he believed that this duty would, within a short time, produce a most pernicious effect on the trade of this country. The right hon. Gentleman had received a warning on the subject at the time when he proposed the tax. The right hon. Gentleman must have seen the consequences of a similar error on the part of the Neapolitan government with respect to the sulphur trade. The events that had occurred in the proceedings of the sulphur trade in Naples must surely have been pregnant with instruction to the Government. The Neapolitan government, and nearly all the world besides, believed that that kingdom had a monopoly of the supply of sulphur, and an attempt was made to tax the consumers of sulphur in this country, by imposing a heavy tax on its exportation from Sicily. But what had been the effect of this? the ingenuity of our manufacturers and chemists was stimulated, and it never rested until they succeeded in manufacturing sulphur in this country; and when the government of Naples found out this, and although it instantly retraced its steps, still the sulphur produced in this country now successfully competed with that imported from Naples. This was a satisfactory proof of the impolicy and inexpediency of imposing a tax on the exportation of an article to foreign countries, because you believe you possess peculiar advantages in producing it. There was a natural reluctance in all nations against being taxed in this way for the advantage of the country from whence it obtained supplies. There was a proof of this afforded in the proceedings which grew out of the conduct of the Neapolitan government with regard to the sulphur trade. The natural effect of imposing such a duty, was to create an indisposition in foreign countries to carry on this trade with us. The right hon. Gentleman, when he proposed this tax, laid great stress on the fact, that foreign countries laid a tax on the import of our coal into their territories; but a foreign country was perfectly justified in doing this, and although they were likely to be the sufferers by imposing a tax on raw produce, the case was very different from an export duty; he therefore would ask whether it was not most inexpedient to lay a tax on this side the water on coal, which it was expected the people of the continent would consume? He had alluded to the injurious effect of this tax on the export trade in coal, but it was also most injurious to the working population, and to the general trade of the country. Now, as to the effect of this tax on the state of the population of the country. He found it stated in a communication which he had already quoted from a gentleman who had been the director of one of the very largest collieries in the north of England, that the effect of the falling-off of the export trade in coal had been to lead to the lowering the wages of labour 20 per cent., a diminution which every man must regret. He was informed in a communication dated the 30th of April, that there had been a reduction of from 20 to 70 per cent. in the wages of the men employed in working coal for exportation. The effect of this was not confined to them, but affected all the persons employed in the trade, in the same way as he had pointed out with regard to its effects on the shipping interest. By increasing the competition amongst those employed in working for the home trade, you increased the difficulties which were already entailed in this trade. It was notorious, that the coal trade had for a long time been in a state of depression, and this impolitic tax had increased it, which was intended to impose a duty on the export trade to foreign countries. In a letter dated the 17th of May, the writer stated, that the distress of the working population had increased, in consequence of its having been found necessary to work short time, and with a further reduction in price. This state of distress had produced its constant effect and attendant—namely, discontent, and he was assured that attempts had been made by the workmen to organise a union, with the view of promoting a strike, so as to extort from their masters larger wages than he feared, it was possible for them to give. He was informed of this attempt some time ago, and he had received a letter dated the 6th of June, confirming this, and containing information which was not undeserving of attention. His correspondent observed that:—

> "You are aware of the patience with which the workmen have hitherto borne it; but now that a union was in the course of formation, a great portion of the men had already joined it."

His correspondent attributed this state of things entirely to the scarcity of employment, and which had been greatly increased since April last, and it was calculated that from the short time the men were working, that they were not making more than eight or nine days in a fortnight, and at the present moment there were 14,000 or 15,000 tons of coal waiting for the foreign market. He had previously mentioned, that in April there were 12,000 tons waiting for exportation; but this letter of the 6th of June stated that the quantity of coal for exportation in hand had increased to 15,000 tons, for which there was no demand. Under these circumstances, although the coalowners had every desire to give full employment, and to keep up wages, it was impossible for them to maintain the labouring classes in the state which they anxiously wished. Such was the effect that had been produced on an important portion of our population by this most ill-judged interference with the coal trade. It would be well for the right hon. the Secretary for the Home Department, to consider this state of things. He believed that the right hon. Gentleman had received communications with respect to the state of the population in the mining districts of the north of England, from the lord-lieutenant and the magistrates of Durham, and he must say, that this very serious state of things had arisen from a want of employment, which was traceable to this impolitic tax. He should have thought that the Government had already difficulties enough to deal with, when he looked to the state of Ireland, and to the condition of the manufacturing districts after the disturbances of last autumn, without needlessly adding to them by stopping the trade in the mining districts. He had already stated that the shipping interest had suffered considerably. He had evidence to show that freights had been lowered to a ruinous extent, and the result had been, that instead of the tax falling on the foreign consumer, it fell on the British coalowner and the British shipowner, who felt it the more by the great reduction it had produced in the trade. He believed also, that it operated in another way, namely, that where we kept the trade, the loss was great. In the petition that he had presented that night from the borough of Sunderland, it was stated, most truly, that by means of the export of coal, many of our manufactures were sent to foreign countries which otherwise would not be sent there. Formerly cargoes were made up for several foreign ports, composed both of coals and manufactures, and that the cargo could not be made up if the latter only was freighted; but by the imposition of this tax, the export of coals in conjunction with manufactures, was rendered impossible. But this was not the only effect of this tax on the shipowners and manufacturers of this country, for ships going out with cargoes of coal could import on cheaper terms than other vessels such articles as timber and tallow, and other bulky goods which were consumed in our manufactures. Now the interference with the trade by the tax, must have a very serious effect on the employment of our shipping, and on many connected branches of manufacture. Such were the consequences of this duty which the right hon. Baronet had recommended to the approbation of Parliament, because, as he alleged, it was different from all other taxes, as it was a duty favourable to British industry. He could not conceive a more objectionable principle for a Minister to lay down, and especially with respect to a tax which he had shown had proved most unfavourable in its effects to the mining interest, to the shipping interest, and to the manufacturing interest. He ought previously to have observed, that he had been informed, that previous to the imposition of this duty, it was customary for the Great Western and the other transatlantic steam ships to take out coal for their return voyages; but since the tax had been imposed, the Great Western and other large steamers made the voyage home with American coal. He thought there could not be a more striking fact as to the injurious effect of this tax. He was astonished, also, that the right hon. Gentleman, who generally was so well informed as to the effects that might follow from an injudicious observation, should have urged the adoption of this tax on coal, on account that the effects of its imposition would be to injure the manufactures of foreign countries. It was a most ill-judged and injurious principle to lay down, for it was holding out an inducement to foreign nations to retort upon us by imposing a tax on raw produce. America might be induced to apply this principle with respect to the importation of cotton to this country, and China and Italy with respect to raw silk. But low and miserable as this doctrine was, it did not apply in this case; for he was assured, on the very best authority, that the coal exported from this country was not used to any considerable extent by foreign manufacturers. Every body knew that manufactures, when carried on on an extensive scale, were large consumers of fuel, and they always concentrated at those spots where fuel was most accessible. Was not this the case in this country, where the manufacturers carried on their processes in the north, rather than the south? Were they not carried on in the north because the manufacturers could in those districts more conveniently and readily obtain a supply of coals? But the manufactures which were carried on on the continent were not supplied with our coals. All the manufactures that existed on a large scale on the continent were carried on contiguous to great fields of coal. The manufacturers of Saxony, Belgium, and Lyons, were supplied with coals obtained nearly on the spot, and they derived no advantage from our exported coals. The manufactures of Switzerland were carried on by the great water power which that country possessed; and he believed, that on inquiry it would be found that no foreign manufacture which competed at all with the produce of this country, was in any way aided in its production by coal from this country. The only thing which we had to fear in a third market was the rivalry that arose from the competition to sell at the lowest prices. The coal which was exported from this country to the continent was used for steam navigation, making gas, for sugar refining, and for household purposes. He believed, that after the strictest search the right hon. Gentleman could not find an instance of a foreign manufacture which was a rival to the produce of this country in which the process was carried on by means of English coal. On this ground, therefore, the argument of the right hon. Gentleman completely failed. In whatever light he regarded the tax, he fonnd that it was productive of unmixed injury to British industry. It was a tax more directly limiting the employment of labour and the investment of capital than any tax imposed by the Government in modern times. He came next to consider the object for which this tax was imposed, and that object was to increase the revenue. It appeared from the papers on the Table, that the tax produced about 100,000*l.* a year. The right hon. Gentleman calculated that it would produce 140,000*l.*; not in the whole year, he believed, but in the remaining portion of the financial year, after the tax was imposed. If this was the case the error into which the right hon. Gentleman had fallen was very great. [Sir *R. Peel* made an observation, which was not heard.] He was to understand, then, that this was not so, but that the estimate of 140,000*l.* was for the whole year. Now, although the miscalculation as to the amount of the produce of the tax was not so great as it was with respect to the Irish spirit duty, still it was very large. The tax, instead of yielding 140,000*l.* a year, yielded only 100,000*l.* which was ths gross produce, and by no means a clear addition to the revenue of that amount. The old duty on coal produced 12,000*l.* a year, so that the only gain, therefore, that the right hon. Gentleman obtained by his tax was 88,000*l.*, and this miserable sum was subject to reduction, in consequence of the increased expense of collection. The right hon. Gentleman, the President of the Board of Trade, had informed him that he could not exactly tell what this amounted to, but the expense of having a person stationed to see every ship laden that was about to export coal must be very great, as it was an article which was very bulky; and some time must be taken up in lading a vessel. But after this deduction from the 88,000*l.*, the right hon. Baronet did not obtain all as clear gain, for this tax had had a most serious effect which he could not estimate, in diminishing the indirect revenue. It was notorious that the right hon. Gentleman's Budget of last year had proved more unfortunate in the accuracy of its predictions than any Budget which the oldest Member of that House could recollect, and this had chiefly arisen from the falling-off in the revenue derived from the duties on articles of consumption. At the commencement of the Session her Majesty, in the Speech from the Throne, hed been recommended to say:—

> "Her Majesty regrets the diminished receipt from some of the ordinary sources of revenue. Her Majesty fears that it must be in part attributed to the reduced consumption of many articles caused by that depression of the manufacturing industry of the country which has so long prevailed, and which her Majesty has so deeply lamented."

Now, if the House would reflect on this language of her Majesty, and look to the state of the coal trade, and to the state of the shipping trade, and consider that the wages of the men engaged in this branch of industry had been materially reduced, and also that the incomes of their employers had been reduced, the House could not doubt that this new tax had had a considerable share in reducing the proceeds of the indirect taxation of the country. But they must not stop here: for it was well known, that when distress and want of employment existed as regarded one branch of industry, that the employment of persons engaged in other pursuits was diminished. He had shown, in the early part of the Session, the effect that the diminution of the coal trade at Sunderland had upon persons engaged in other pursuits there; and it would appear from all that he had seen, that directly or indirectly, a blow given to one branch of trade was felt through the interests of the community, and it must most seriously affect the revenue derived from indirect taxation. He was convinced, that if they made an allowance for the amount of the defalcations that had been caused by this tax in other branches of taxation, it would appear that it had actually produced nothing at all to the revenue. Indeed, he was convinced that the Treasury had been rather a loser than a gainer by a tax which had been thus injurious to our trade in so many ways. If, therefore, it was to be regarded as a question of revenue, there could be no hesitation as to the propriety of removing the tax. He would put it to the right hon. Gentleman, how could he reconcile the continuance of this tax with the grounds which he urged for the adoption of another part of his Budget last year? The right hon. Gentleman proposed to take off the entire duties on the export of our manufactures, and in so doing, he expressed himself in the following language:—

> "There are at present duties levied on the export of certain British manufactures—a doctrine which I think contrary to every sound principle of legislation."

Now he (Viscount Howick) would ask, what the right hon. Baronet meant by a sound principle of legislation? Was it other than this, that those export duties were taxes levied on the produce of British industry? Were not coals, he would ask, as much the produce of British industry as any article of British manufacture? Were they not as much so as cotton twist or linen yarn? Were coals not like these articles, useful in foreign manufactures? Was not a tax on coals a tax contrary to the principle maintained by the right hon. Gentleman, namely, that it was inexpedient and injurious to British trade to lay export duties on the produce of British industry? The right hon. Gentleman also said:—

> "These duties I find amount to 103,000*l.* a-year."

Now, it was singular enough that this was about the gross sum which was realised by the export duty on coals:—

> "I propose," (the right hon. Gentleman went on) "to remit altogether the export duties on British manufactures, and thus there will be incurred a loss to the revenue of 103,000*l.* a-year."

He would ask the House to contrast these two duties. The one was on the export of British manufactures, of merely nominal amount, complained of by nobody—a tax which in its operation, was unfelt, and of which nobody, even at a period when trade was most distressed, ever thought of saying caused that distress; yet the right hon. Gentleman had repealed that tax, because it was contrary to the principles he had laid down, that the exports of British industry should not be taxed. But when the right hon. Gentleman repealed that tax, he imposed another tax; and he imposed it on the exportations of British industry, of which the effects had been plainly predicted would be most injurious, and which experience had shown to be most injurious, which was attended with much danger of losing a valuable trade altogether. And the tax which the right hon. Gentleman had imposed on British trade was not a nominal tax complained of by nobody, but a real, substantial, onerous impost, of which many complained. Was there any consistency in the two measures? Was there any good reason assigned why they should adopt the one in order to supply the exigencies of the revenue, which would not equally apply to that change which the right hon. Gentleman had recommended to the committee? Were not these two measures rather examples of that disposition which his noble Friend, the Member for the city of London had adverted to a few nights ago, truly remarking that it was a most extraordinary disposition in a Government professing Conservative principles—a disposition not to make judicious and well-weighed improvements, but to make changes for the sake of change, rashly meddling, and most unnecessarily meddling with every branch of trade, unsettling everything, and settling nothing—changes which were injurious to every branch of trade—which, as the House had seen, had practically issued in the utter disappointment of all the hopes which the right hon. Gentleman had expressed when he had proposed those measures to the House. This was the case which he had had to bring before the House, and he trusted that if her Majesty's Government persevered in maintaining this tax, it would not find a disposition in that majority which had enabled the Government to carry its determinations into effect in other instances, to support it in maintaining this tax, which was alike inconsistent with principle and plainly injurious to the best and most important interests of the country. The noble Lord concluded by moving as an amendment, that the House do resolve itself into a committee of the whole House, to consider so much of the act 5 and 6 Vic., cap. 47, as relates to the exportation of coals.

Mr. *Gladstone* said, at that late hour he should not occupy the time of the House by any endeavour to defend the Government against the invective aimed at their general policy with which the noble Lord had wound up his speech. The noble Lord had, perhaps, thought of the wearisomeness of his subject, and had attempted to give it some relish for the palate of those around him, by introducing a question not at all relevant to that which he was discussing. Whether the effort had been successful or not he would leave the noble Lord's supporters to judge. There were a great many general topics introduced into the speech of the noble Lord, over which he should take leave to pass altogether, and which, he must say, appeared to him to have but a very remote connexion with the question before them. They did not want to be instructed in such propositions as these,—that if they narrowed and restricted one branch of trade, their doing so had an effect on other trades connected with them; that if they imposed one tax, it had a tendency to render other taxes less productive; that if they lost a trade, it was more difficult to recover it than to gain it originally. He must take leave to tell the noble Lord, that these general *dicta* required no elaborate demonstration—no solemn announcement to that House, as if they were disputed propositions; they were matters which the noble Lord might take for granted, and which he would not trouble himself to discuss. He should consider the facts of the case, as they affected the revenue. To that issue alone he should direct the attention of the House. The noble Lord had spoken of the different arguments which had been used to support the determination of the Government by different persons, and to illustrate the operation of the tax; but he should neither refer to those arguments, nor rely on them. Some of those who opposed the measure said it was injurious, because foreign nations regarded it as a matter of feeling, and would not purchase commodities on which we laid a tax for the purpose of collecting a revenue. He could hardly believe that; and if it were so, it was very strange in those foreign nations, for they were accustomed to levy taxes on articles exported to this country, for the purpose of raising a revenue on them. He could not believe in such a statement, because they knew that the tax had been levied for the exigencies of the Government, and not for the purpose of levying a tax on them. Nor had he heard of a single instance of any Government taking umbrage at a tax which they knew was intended exclusively to supply the deficiences of our own revenue. He would not argue the question with reference to the exhaustion of the domestic supply, which was no part of the issue. Nor would he argue it on the ground which the noble Lord had based it, that he believed the tax had been imposed contrary to the assent of the coal-trade. The Government would be placed in a very perilous position were it to regulate the imposition of taxes, or to found its support of a tax on the assent of those who were to be subjected to it. He was surprised that the noble Lord should have put the case as he did with evident triumph against the Government on the ground that Gentlemen of the Conservative party at Sunderland and in that House concurred with the noble Lord in reprobating the tax. The same argument might be applied to other things, on which some Gentlemen agreed with the noble Lord. Without questioning the veracity of the gentlemen concerned in the coal-trade, and who had opposed the tax, he could not assent to the arguments which they had brought forward. He was not disposed to believe that the Members of that House were prepared to adopt all the arguments of those who were interested in the trade, and who averred that the decay of their trade was caused by taxation. The same kind of arguments were used by the Members of every other trade, who readily attributed to taxation the impoverishment of the trade they followed. The noble Lord in his speech had not alluded at great length to what was really the most important part of the question, because it was connected with several other subjects, namely, the influence on the finances and revenue of the country which would result from the repeal of the coal-tax itself. He would call on the House to consider whether it were advisable in the present state of our finances to go into the question of a repeal of duties, or whether the state of our finances were now such as to justify the House in opening up the whole question of our import and export duties. When his right hon. Friend the Chancellor of the Exchequer brought the state of the finances before the House, he believed that the House thought his right hon. Friend exercised a proper caution in abstaining from proposing any remission of taxation in the present condition of the revenue. His right hon. Friend showed a probability of some surplus in the ordinary branches of the revenue, but he had also referred to other pecuniary obligations which might arise, and to some payments depending for foreign countries, which made it unwise, in his right hon. Friend's opinion, to propose the repeal of any taxation. The noble Lord said he had succeeded, he thought, in making out a strong case against the Government for the remission of the coal tax; but there were other cases stronger than the coal trade in which the same demands were made for relief—demands which, if the House should assent to the noble Lord's motion, hon. Gentlemen would soon make, and the House would find it impossible to deny. If the House should consent to repeal the coal duty, they could not abstain from repealing other duties; and he trusted therefore that the House would reject the motion of the noble Lord. The same arguments now urged by the noble Lord were the same which he urged last year, and which then made no impression on the House. The House last year had adopted the coal-tax by a large majority, which implied the adherence to the proposition of Gentlemen on all sides of the House. The question then was, had any circumstances since transpired and so altered the aspect and character of the duty, that the House should now resolve, after a short period of only nine months, to repeal that duty, which was last year imposed by such a large majority. If the noble Lord had proved his case—if all the noble Lord's allegations had been made good—he should have grave doubts of the propriety of again opening the question of repealing duties which could not be undertaken without exciting the demands of other interests—interests larger, far more important than those which the public had advocated for the repeal of several duties. But the allegations of the noble Lord had not been proved. Could the noble Lord say that the experience of nine months was all that was required—was it sufficient to enable the House to conclude that it formed a correct judgment when it proposed to reverse the decision to which the House came last year after long debates? He said that nine months were not sufficient, and that it would be highly derogatory to the character of the House, after so brief an experience, to change its course on a great public question, to which it had given so much attention only a few months before. He was surprised that the noble Lord should not look to any other cause for the decay of the coal trade than the duty on the export of coals. The state of the trade was, he admitted, not flourishing; but had the coal duty caused the whole of the decay? The gentlemen engaged in it were, no doubt, unanimous in saying so, but that unanimity was similar to that which might be found amongst all gentlemen concerned in every other trade. They felt the depression of the trade—they knew, perhaps, nothing of an excess of production—nothing of the falling-off in the demand at home—nothing of the opening of new mines abroad—a knowledge of these things might be beyond their means, but they all knew of the money that was paid into the Treasury on the export of coal, and they sought relief by demanding the repeal of that tax. He did not deny that remitting the tax would give relief—he did not deny that it might improve trade—but he did deny that the imposition of the tax had caused all the distress which prevailed. The noble Lord asked, what was the object of the duty? He would say that it was not intended to operate against foreign countries. The proposition, as he understood it, was this, that it was thought that a duty of 1*s.* a ton on small coals, and 2*s.* a ton on large coals, would yield a considerable sum to the revenue, and on that ground the proposition received the assent of Parliament. The object of the tax, then, was revenue, and he could not admit that the tax had not succeeded to the extent stated by the noble Lord. The revenue derived from the tax had been understated by the noble Lord. The noble Lord thought, no doubt, that he was acting fairly when he took three quarters of the year as a criterion, adding two quarters of last year to one quarter of this. He must say, however, that it was not a fair test. The noble Lord took the returns for three-fourths of the year, and, adding another fourth, he said that the revenue for that fourth would be in the same proportion as the other three-fourths; but this he should show was not the case. It was not a fair test of the coal trade to take as the produce of four quarters the duty levied on three, and assume that the produce of the other quarter must be proportionate. The great export of coals took place in the two summer quarters, and in the two winter quarters, as the noble Lord knew, there were not near so many coals exported as in the two summer quarters. If then they took the produce of the duty in three quarters, and two of these were winter quarters, and added a third part of that sum to make up the produce of the year, they could not get the whole duty. The two winter quarters, in fact, would only give two-fifths, or rather one third, instead of one-half of the whole. It appeared by the returns, that the tax had yielded from

112,000*l.* to 114,000*l.*, which was not so far short, as the noble Lord stated, of 140,000*l.* Certainly, in a revenue, such as ours, of 48,000,000*l.* and 50,000,000*l.*, that might appear a small sum; but in the particular condition of this country, and judging from experience of what were likely to be the demands of other parties for the repeal of taxes, even that sum could not be spared. About 112,000*l.* or 114,000*l.*, then, was the produce of the tax, and he said that he did not know any taxation that was levied at a cheaper rate. No additional establishments were necessary, and though it was impossible to tell the exact expense of collecting the tax; for the returns, as his right hon. Friend, the Chancellor of the Exchequer, had stated, showed only the gross, and not the net expense of collection. He admitted the trade had been stationary, or, rather, that it had latterly not increased as rapidly as formerly. The trade was of great magnitude, and because, after the tax had been laid on, it did not go on increasing, it was immediately concluded, that the imposition of the tax was the cause of why the trade did not increase. There was another circumstance to be considered besides the magnitude and the increase of the trade. The noble Lord had said, that the trade was not so great in the first quarter of 1843 as in the first quarter of 1842, and, therefore, he had inferred, that the trade had decreased one-third. But the noble Lord should recollect, that if the export trade was less in the first quarter of 1843 than in the first quarter of 1842, some other cause might be pointed out for the decrease than the tax. The noble Lord had overlooked the effect of his right hon. Friend's measures. It was on the 11th of March, that his right hon. Friend announced his intention of levying a duty on the export of coals, and the quarter not ending before April 5th, the consequence of his announcement was, that a great export of coal took place. But the duty did not come into operation till the 9th of July, and all the parties engaged in the trade exerted themselves to the utmost to export coals before that period. There could not be a doubt, that the announcement of his right hon. Friend gave a great stimulus to the export trade of coals. It should also be remembered, that at first the duty with which the trade was threatened was an export duty of 4*s.* per ton on all coals, while the duty finally levied was a duty of 2*s.* on large coals, and 1*s.* on small coals. The figures certainly did not give an accurate view of the transactions, but they confirmed what he stated. It appeared, then, that the declared value of the coals exported to the 5th April, 1842, from the beginning of March, 1842, was more than double the usual quantity. He would tell the noble Lord what he (Mr. Gladstone) thought a fair criterion, and that was the first quarter of the year 1841, a period at which no duty had been announced, and when the trade was in a regular course and condition. That condition was an improving one, but the improvement was steady and gradual, whereas the increase of the trade in 1842 was altogether unnatural, and solely brought about by the stimulus of the prospective duty. He would take the first quarter of 1841, as a fair standard of comparison; and he found, that the export of coal to foreign countries in that quarter was only 236,000 tons, whereas the export in the first quarter of 1843 was 259,255 tons, exhibiting an increase of 23,000 tons, or about 10 per cent. Therefore, the duty, as far as it could be judged of by experience, very limited in point of time, was compatible with the maintenance of that export trade at the magnitude it had attained, even when there was no prospect of an increased duty. From a return of the first five months of the present year, in which return, however, the exports to British possessions and foreign countries were not distinguished, the quantity of coals exported from the United Kingdom was 715,000 tons, whereas, the exports in the corresponding five months for the year 1841 amounted to 707,000 tons. Some hon. Gentlemen might think, that including the exports to the British possessions vitiated the return; but he believed, that in that department of exports there had been a decrease. But even that decrease could not enable the House to judge fairly of the case. It should be remembered, that the stimulus and excitement of the trade of last year had been necessarily followed by the corresponding reaction and languor of this year. Those immense quantities of coal which were sent abroad during the four months the tariff was under discussion had, of course, supplied part of the demand which would have been periodically furnished in the regular and legitimate way. This he would prove by a letter, dated the 5th of June, from the Consul at Brest, and received that day. The Consul stated,—

> "Early in 1842, the contractors holding large contracts with the French Government applied to the Government to authorise the immediate completion of their contracts for 1842 and 1843, so that they might evade the new duty in England."

This was granted, and accounted for the difference in the number of ships employed in 1842 and 1843. Those contractors exported and introduced into France a large quantity of coals, which but for the prospect of the duty would have appeared as the exports partly of the present portion of the year and of the ensuing half of it. But that was not all; the merchants laid in two years' stock. He did not contend, that the noble Lord's predictions had been falsified, but that this was not the time for the House to do anything, experience being against the proposition of the noble Lord. The consul continued:—

> "It therefore may be asserted with certainty, that the imports of British coals into France have not diminished in consequence of the new duty in England; and that those imports will gradually increase as the stock in hand is expended. It is likely that the importations will be greater next year than during any preceding year."

As far as he was aware, that report had been made without any leading question having been put, to direct the consul's mind to any future view of the course of the coal trade; it was, he believed, the unbiassed judgment of the consul upon the circumstances with which he was cognizant. The noble Lord said, that the trade with France and Holland was ruined. How could the noble Lord come to such a conclusion yet? No doubt there was a considerable diminution in the export to Holland. [An hon. *Member*: "No, there is not."] Well, so much the better. But, suppose it were so—the noble Lord could make no fair charge upon the duty in consequence of it. There were many other circumstances of an unfavourable nature which ought to be taken into consideration. In Holland a very large quantity of coal had been used for manufacturing purposes:—that was to say, for distilleries and sugar refineries, which were at present in a state of unexampled depression. There were special causes for this state of things. The Dutch refiners of sugar, up to a very recent period, had enjoyed the advantage of the importation of refined sugar into Upper Germany, which was taken away only about twelve months ago, he believed. But, whether that was the case or not, that branch of trade in Holland was greatly depressed. The consul at Rotterdam wrote on the 6th of June,

> "There is a considerable reduction in the import of coals. This is accounted for in the first place by the large stock laid in by the dealers previous to the levying of the English duties of 1*s.* and 2*s.*; in the second place, by the consumption falling-off, in consequence of the present unfavourable state of the distilleries and sugar refineries; and lastly, coal from Belgium has in that particular district been coming into use. It is not a question of price, whether one or the other description of coal is sold at 6*d.* or 1*s.* a ton higher or lower, but the question is merely one of quality, the Belgian coal being preferred for certain purposes."

Taking these two markets with respect to which the predictions of the noble Lord were most gloomy, there was then the assurance that in France there was not likely to be a decrease, but, on the contrary, an increase. In the case of Holland it could not be known whether there would be a decrease or not; but they knew that trade there was dead, and that other causes naturally tended to prevent a greater importation of coal. But there was yet another cause for the depression of the coal trade; the mildness of the winter season, which had necessarily tended very much to reduce the consumption of coals both on the continent and in this country. The returns of the imports into London for the last three years were—for 1840, 2,566,000 tons; for 1841, 2,909,000 tons; for 1842, 2,723,000 tons. There was therefore a diminution even in London, where the importation was free from the duty. A great part of the noble Lord's argument was to the effect, that there had been a very great increase in the price of coals in foreign countries. But much had been heard of stimulus to foreign ventures and inducement to invest capital in foreign mines; and in what could that consist unless in the increase of the price in the foreign market? That, generally speaking, was hardly perceptible. In Havre the wholesale price was, before the imposition of the duty, 22*s.* 10*d.* a ton; now it was 24*s.* 1½*d.* a ton An account which he had procured from the best authority he could command, while it confirmed that statement of the wholesale price, added, that the retail price was not altered in the least; 3¾ francs to 4 francs was the price, and had been so constantly for some years. At Rotterdam and at Antwerp there was likewise very little alteration. At Hamburgh the price formerly was 18*s.* 6*d.* to 19*s.* 6*d.*; and at present it was from 19*s.* 6*d.* to 20*s.* But it would be asked, "Who then has paid the duty? According to the noble Lord it must have been paid three or four times over, by the coal-owner, the ship-owner, and the foreign consumers. The loss had fallen upon the middle class, between the coalowner and the shipowner. He admitted that freight, was lower at present than in former years. But was not the clause for that to be found in the general condition of trade? The ships which carried coals were not a class of ships limited to that kind of burthen and nothing else; and if there were a pressure upon the coal trade, the noble Lord would tell the House that it would have an effect upon the freights of other trades. The history of freights showed a downward course from year to year, while trade had been flourishing and increasing, according to the allegation of the noble Lord. Up to last year this was a flourishing trade, growing from year to year, and during that time freights were going on diminishing, and the diminution of former years was greater than that since the duty was laid on. The returns of freights from the port of Sunderland to Paris and other ports along the same coast for the last three years were as follows:—In 1840 it was per ton, 10*s.* 9*d.*; in 1841, 9*s.* 3*d.*; in 1842, 8*s.* 3*d.*; in 1843, 7*s.* 9*d.* There was a fall of 6*d.* after the duty was laid on; but the fall of 1841 should be compared with 1840, when there was no such duty. If the noble Lord then contended that such diminution in the freight was to ruin the shipowner, he replied that formerly there was a much greater diminution which did not ruin the shipowner nor put a stop to the trade. The returns with regard to the freightage to Bordeaux were —In 1840 freightage per ton, 13*s.* 9*d.*; 1841, 13*s.* 6*d.*; 1842, 12*s.* 6*d.*; 1843, 11*s.* 3*d.* With regard to Amsterdam, the return was, in 1840, freightage, per ton, 11*s.* 6*d.*; 1841, 11*s.*; 1842, 9*s.* 9*d.*; 1843, 9*s.* 6*d.* Undoubtedly freights had gone down; but it was in consequence of the general depression and stagnation of trade, and not on account of the imposition of the coal-tax. He had shown them that, so far from the tax having injured the trade, it had flourished under that tax, and would continue to flourish, even coupled with the unfavourable circumstances of the existing depression in trade. He contended, therefore, that the noble Lord had made out no case to induce or to justify the House in reversing the vote they had come to by a large majority last year after much discussion, and after the noble Lord had urged with laudable perseverance the same statements upon the House, but without effect. The noble Lord's topics were irrelevant to the question. If the noble Lord had shown that the tax had failed to increase the revenue, and that it was mischievous to the trade of the country, there would have been some plausibility in the course taken by the noble Lord, but he thought he had proved the reverse of that position. It would not be for the general interest of the country to accede to the motion of the noble Lord, and it was perfectly clear that the wise and sober course for the House to pursue, was to wait and see the effect of a full and fair operation of the tax, so that they might be in possession of ample means and information to enable them to come to a correct and safe judgment upon the question.

Mr. *H. Hinde* agreed partly with the right hon. Gentleman and partly with the noble Lord. The noble Lord had never said that this tax was the sole cause of the depression of the coal trade, but that it had been aggravated thereby. All that his right hon. Friend had attempted to prove was, that the case of the coal trade was not quite so bad as some might think it was. He did not lay much stress upon any documents except such as had received the sanction of official authority, but he could not help reminding the House that there had been evidence delivered before committees on railway bills which showed very clearly that this duty had worked very ill, both for the coal-owners and for the public, and for every class engaged in or connected with collieries. It appeared that upon the line of one railway there were seven collieries, five of which had recently been suspended. He hoped the House would also bear in mind that the right hon. Gentleman the President of the Board of Trade did not pretend to say that foreigners paid the tax which had been imposed upon coals; neither did he appear to have succeeded in combatting that part of the speech of the noble Lord in which he had shown that our coal trade with Holland had very materially declined. Then this duty on coals afforded no compensation for the disadvantage which it was likely to occasion us in time of war by depriving us of the service as pilots of the captains of colliers. The contraband trade had been suppressed, and now our sole dependence for pilotage, in the event of a war, rested with the captains of colliers, for from smuggling we could no longer derive any assistance.

Lord *Harry Vane*, although extremely loath to occupy the attention of the House at that late hour, more especially after his noble Friend the Member for Sunderland had so completely exhausted every part of the subject of debate, yet was still anxious to offer a few comments on what had fallen from the right hon. Gentleman the President of the Board of Trade. It seemed to him that 88,000*l.* was the amount, was the real amount of revenue which this tax had produced, and this sum was derived principally at the expence of the coal trade. The right hon. Gentleman admitted that there was great distress in the coal districts, he admitted that this was a co-operating cause of this distress, was it not therefore the duty of the House to relieve that distress by seizing the earliest opportunity of repealing that duty, and not wait until this beneficial trade was irretrievably lost? What was the country with which this export trade was principally carried on? Why France, with which country he (Lord H. Vane) was most anxious that commercial relations should be cultivated, and he therefore would deprecate any measure which like the present duty would throw impediments in the way of that trade. The tendency of this tax was evidently to interrupt that trade. The right hon. Baronet at the head of the Government, when he had unfolded a sort of geological map of France last year, had spoken as if France possessed no mines. Now, he (Lord H. Vane) had referred lately to a statistical work published under the authority of the administration *des Ponts et Chaussées* in Paris, wherein he found that there were mines in active work in France in thirty-six departments, and sixty-one mines not worked, but which would receive a stimulus from the French government provided that this export duty continued, and what was to prevent British capital from being employed in the working of these mines? Would the Chancellor of the Exchequer propose an export duty on British capital? For notwithstanding the cavils—notwithstanding the feverish state of the public mind in France, one-half of the original shares of the Rouen Railway were provided by English shareholders, and at this moment, one-half of the remaining half was held by English capitalists. But then it was urged that the French imposed an import duty on coal, but this was a proof that France was not under the necessity of taking English coal, but she took it because she received a cheaper article and derived revenue from it besides, it is not, therefore, in our power to cause the money which is derived to the French exchequer as import duty, to be derived to the British Exchequer as export duty. In 1834, when Mr. Poulett Thomson took off the then export duty, he enunciated broadly and distinctly the proposition that when all other export duties had been taken off, it was not just to the coal trade not to remove the export duty on coals. The right hon. Baronet at the head of a great party opposed to the Government of that day, did not gainsay this proposition, or oppose the taking off of the tax. Mr. Warburton, no longer a Member of this House, and the hon. Member for Salford (Mr. Brotherton) were the only objectors. The result of this general acquiescence, was the belief that no export duty would be hereafter imposed. Capital was then invested in coal mines, railroads were constructed, and harbours improved and nowhere had commercial enterprise been more conspicuously displayed than in Durham, villages arose where only a few scattered habitations were before to be found, an industrious population was encouraged to immigrate there. The first effect of the imposition of this export duty, was the emigration of colliers, men of substance, who entertained forebodings of the necessary result of this measure, and what was technically termed the laying in of collieries. If there was a passive acquiescence in the duty last year, there was a consentaneous opinion of all classes against it this year. The right hon. Gentleman the President of the Board of Trade, had referred to the employment of our coal in sugar refineries; now, it was certain that three-fourths of the coal exported, was used for steam and navigation purposes. His noble Friend the Member for Sunderland, had presented a remarkable petition from Newport in Monmouthshire, in perfect accordance with a memorial presented last year to the right hon. Baronet from the manufacturers on the Tyne, who knew well to what countries coal was exported, and to what purposes applied. The averment in their memorial was, that coal was furnished to them at a much cheaper rate in consequence of the export trade. Besides it is well known, that in consequence of the export of a bulky article like coal which defrayed the freight, our manufacturers were enabled to export articles in which we were in a state of inferiority to the foreigner, whether this inferiority arose from the more intuitive taste of the foreigner, from a more genial climate, or from longer habit, was it wise therefore, was it expedient, at a moment, when, although there was a revival of the cotton trade, the great staple industries of wool and iron were still depressed to run the risk of adding to the large catalogue of unemployed? You are not asked to give any artificial aid, or to divert capital from its natural courses; but to let a commercial people take advantage of their natural advantages, without cramping their operations by a legislative measure unproductive of revenue. The manufacturers on the Tyne, who know that the coal exported to St. Petersburg is principally for domestice purposes, are well aware that it is not with imported coal that foreign manufacturers can compete with them, their manufactories must be situated in the immediate neighbourhood of coal mines—it is so with those of Westphalia, of Silesia, of the Rhenish Provinces, of the Netherlands, of Lyons, and because fuel is dear at Rouen, together with other causes of dearness, such as the proximity of the capital, trade has declined and migrations have taken place. We ask you not to uphold a law which yields little to the revenue and inflicts a great deal of mischief. The right hon. Gentleman says, that the motive of my noble Friend is premature, that the duty is an experiment, and that there has not been sufficient time to test it. We have had enough experience of its injurious effects. The right hon. Gentleman has afforded us an exemplification of the saying, that it is easy to group figures, for notwithstanding this plausible statement of the right hon. Gentleman, the comparison instituted by my noble Friend between the first three months of 1842, and the first three months of 1843, was a fair and just one. It demonstrated that the measure had had the effect of impeding the coal trade, we should lose no time in repealing the duty before the trade was lost, as representation of a district suffering from this experiment, he would most gladly and conscientiously give his vote for the motion of his noble Friend the Member for Sunderland.

Mr. *Bell* would consider it his duty to give his vote in support of the proposition of the noble Lord. He entertained considerable doubts as to the policy of agitating a measure which had been so recently settled, but its results had been disastrous, and the proposition having been made, he felt compelled to vote for the repeal of this tax. Having so recently entered at considerable length into details to show the inconveniences which must necessarily result from the imposition of the tax, both to the coalowner and the shipowner, from the falling-off in the demand and the diminution of price and rate of freight, at that late hour he would not occupy the time of the House by again going over the same ground; but he had possessed himself of a few statistics of the trade, which he trusted he might be allowed to lay before the House. The right hon. Gentleman the President of the Board of Trade seemed to think that the imposition of the duty would not in any way interfere with the export of coal; he would submit to the House a very short statement which would prove the very injurious nature of the tax. The returns he was possessed of related only to the north of England; but he had no doubt that returns from Scotland would show the same result. From 1804 to 1825, when the duty on round coal was 6*s*. 5*d*. and on small coal 1*s*. 8*d*. the export did not increase one single ton. From 1831 to 1834, when the duty was 2*s*. 8*d*. a ton, the export rose from 161,217 tons to 230,142 tons or an average of 8 per cent. per annum; while from 1834 to 1841, when there was no duty, it increased from 230,342 tons to 736,947 tons, or at an average of 30 per cent per annum. He would refer to the quantity of coal exported to different foreign countries during the year 1840. It was as follows:—France, 369,511 tons; Holland, 203,131 tons; Denmark, 124,691 tons; Prussia, 89,443 tons; and the rest of Germany, 119,600 tons. He would not enter more particularly into the subject and conclude by stating that it was his intention to support the motion of the noble Lord.

Sir *G. Clerk* wished merely to make a short statement to the House in answer to the argument deduced by the noble Lord from the alleged falling-off in the export of coals from this country during the first three months of 1843, as compared with those of 1842; but that comparison, he contended, did not afford a fair test; the cause of the decrease arose from the previously enormous exportation which took place during the four months immediately preceding the imposition of the tax. What were the facts? The total quantity exported during those four months, in 1841, was in value 258,690*l.*, in the same four months of last year it was 350,626*l.*, showing an increase of no less than 91,936*l.* Was it surprising that the trade should, after that unnatural stimulus, suffer a period of stagnation? Besides, the wide spread distress throughout the country, affecting as it did every trade, and the iron trade especially, was in itself a sufficient cause for the present depression in the coal trade. A great deal had been said about the decrease of our export to foreign countries; but he maintained that there had been no decrease. He would institute a fairer comparison than the noble Lord, and taking the years 1841 and 1843—this was the result:—

In 1841, the exports to Russia were	70,000 tons
1843 ditto ditto	83,000
In 1841, to Sweden . . .	26,000
1843	37,000
In 1841, to Denmark . . .	151,000
1843	145,000

That was a slight falling-off, but it was there that we had less reason to dread competition than anywhere else:—

In 1841, to Holland . .	173,000 tons
1843	180,000
In 1841, to France . . .	451,000
1843	515,000
In 1841, to the United States .	52,000
1843	60,000

Making allowance then for the unnatural impetus and consequent temporary depression occasioned by the first imposition of the tax, the House would see that the export of coal was decidedly upon the increase instead of the decrease; and he felt the greatest pleasure in being able to tell the House that the export of coal during May this year was nearly the same as during the same month last year, and that it considerably exceeded that of the year before. Now, with regard to Sunderland and Newcastle-on-Tyne, taking the weeks ending the 5th of May and 5th of June, 1842, as compared with the weeks ending the 5th of May and 5th of June, 1843. For the two weeks ending the 5th of June, 1843, the export was 183,000 tons from Newcastle; whereas, in 1842, the same months, it was 177,000 tons. He was sorry that he could not say, that the same improvement had taken place at Sunderland; but that was accounted for by local causes, which had diverted the trade from that port. That that was the case appeared from the fact, that from 1840 there had been a falling-off at Sunderland and a corresponding increase at Hartlepool and other ports. Last year the Chancellor of the Exchequer had stated that this tax was imposed for the purpose of raising revenue, and he should like to know in what way the noble Lord would raise the same amount of revenue with so little inconvenience to any branch of the trade of this country? That was the question for the House to decide; and he trusted that they would not hastily, under present circumstances, deprive the revenue of the produce of so convenient and reasonable a duty.

Mr. *Labouchere* said, an observation which had fallen from the hon. Gentleman who had just sat down, and which had been put forward before by the right hon. Gentleman the President of the Board of Trade, made him anxious to say a few words. The hon. Gentleman asked was this a period, and were the circumstances such as to call on Gentlemen to vote against the continuance of any tax, however inconvenient it might be? During the last Session he had voted against several duties, as, for instance, the timber duties, and felt himself justified in giving those votes, though he should not feel justified in repeating them during the present Session. However, with regard to two measures which the Government brought forward during the last Session, the coal duty and the duty on Irish spirits, they had as measures of revenue so completely failed, and had inflicted so much injury on the trade, prosperity, and, in the instance of Irish spirits, on the morals of the country, that he should feel justified in voting, as he certainly should do, against both those taxes. He begged the House to recollect the language which was used last year in discussing this measure. They were then told it would produce 140,000*l.* a year without inconvenience or injury to any portion of the community. He wished some hon. Members had been present to hear what were the effects produced on the people by the tax which brought that miserable amount to the national coffers. He wished that at an earlier hour of the evening every hon. Member now in the House had been present to hear the petitions from the shipping and coal-owning interests of the north, as well as of the revelations of hon. Gentlemen belonging to both parties, who clearly showed thet if they wished to arrest the progress of the evil they had no time to lose. The right hon. Gentleman the President of the Board of Trade had asked them to await the experience of another year. But what was the experience of the past and the present? Was the existing state of things promised us by the Government when they brought forward their measures last Session? Nothing, on the contrary, was more striking than the contrast. The fact was, that it produced only 88,000*l.* with great injury to our trade. Between the language of the President of the Board of Trade this evening and that of the right hon. Baronet the First Lord of the Treasury last year, when he proposed to abolish the duties on the exportation of British manufactures, and said he thought that export duties were founded on false principles. However, in the course of the same Session the right hon. Baronet proposed the imposition of this duty, and what were the special grounds on which he supported it? The right hon. Baronet said this country enjoyed great natural advantages with reference to coal, and that by this duty we should be taxing the foreigner and not our own people. That had a very plausible sound; but he at the time took the liberty of saying that it was a false principle, and that when we should come to prove it, this attempt to tax foreigners would recoil on our own trade and people. The hon. Gentleman who had just sat down appealed to figures, and seemed to doubt the effect produced by this tax, as proved by the mass of evidence by which it was supported, confirmed as that evidence was by every representative of a coal district, who had addressed the House in the course of the present evening. He would read, however, one striking fact of great importance which could not be controverted, and which must prove to the House the inexpediency and injustice of keeping up this duty, and thereby violating every principle, and placing the coal producers on a different footing from all other producers in the country, for it should be remembered that coal was quite as much the produce of manufacture as cotton yarn or any of the other articles which were relieved last year from export duties. The directors of the Great Western Steam Ship Company stated in a document which he held in his hand that in the execution of the duties of their office they had been in the habit of exporting several hundred tons of coal annually to New York, but that the imposition of this duty made them give up that trade, and even forced them to get coals from the mines of the United States for their return voyages. The fact proved to demonstration that this was not an imaginary infliction on the trade of the country, but that it encouraged the produce of foreign coal mines, and discouraged the produce of the mines of this country. Such a state of things ought not to be allowed to continue. Next year they would not be able to discuss the question with the same advantage as at present. Foreign mines would by that time come into competition with our own; the evil would be done: it would then be impossible to retrace our steps; and to restore the trade to the condition in which it previously stood. He should vote against this tax, because he was satisfied that the evil it was producing was out of all proportion to the revenue derived from it, and the sooner an alteration should be effected the better.

Sir *R. Peel*: I will follow the example of the right hon. Gentleman, and limit myself to a very few observations, without troubling the House with any details. We are not now discussing how we shall appropriate a surplus revenue to the reduction of taxation—we are not in a condition in which we can boast of having a clear available surplus above the expenditure of the country. It is a notorious and admitted fact, that at the present moment, notwithstanding the imposition of the income-tax, notwithstanding the increased produce of that tax, notwithstanding the willingness of the country to submit to that unusual and unpopular impost, there is still a deficit of income as compared with the expenditure of the country. The question, then, is to-night whether we shall increase that deficit by a remission of the duty which was imposed only last year upon coal. The right hon. Gentleman says, it is a duty of only 100,000*l.* I am afraid if you act on that principle—if, because an individual duty does not amount to 100,000*l.*, you may disregard the amount of revenue derived from it—I am afraid, the application of such a principle will go far beyond the remission of the duty upon coal, and that you must extend the principle to the remission of many other duties which do not produce a large amount. What were the circumstances under which this duty was imposed last year? It was then stated, that this country had the advantage of the peculiar article of coal in our manufactures—that other countries imposed higher duties upon the import of coal than England—that France, that every one of the continental countries of Europe levied a considerable tax upon that article useful in their manufactures, one of your natural advantages. I then proposed a moderate duty on coal exported from this country, and, absurd as it may seem to the right hon. Gentleman, that proposal received the acquiescence of a very high authority on that side of the House. I am sorry not to see the noble Lord the Member for the city of London present, because the proposition which I made last year did receive the support of the noble Lord. [Mr. *Hume*: He alone on this side of the House.] No, not he alone on that side, unless the hon. Member considers the late Secretary of State for Foreign Affairs as nobody, though I believe the noble Lord to be as a Member of great authority and influence on that side of the House. I rather think that no less than two Cabinet Ministers under the late Government—men exercising a very high and a very great influence over the opinions of the House, gave their willing assent to this tax, and their assent of course was not dictated by political motives. The noble Lord who brought forward the motion, quoted several letters, in one of which a reference was made to the decrease of the imports by the United States. What is the cause of that decrease? Why, the United States by their tariff have increased the import duty upon British coal. I rather think that at the present moment there is a duty imposed upon the import of British coal into the United States quite sufficient to prevent the export of coal from New Brunswick to the United States, and which amounts, if I am not misinformed, to 6*s.* per ton—to 8*s.* per ton I am told. A duty of 8*s.* per ton is imposed by the United States on that article on which we impose a duty of only 2*s.* when exported. Is the right hon. Gentleman surprised, that there should have been a diminution in the export to the United States, when the United States themselves have imposed a duty of not less than three or four times the amount that we have imposed as an export duty. Sir, the whole of the arguments to-night, the whole of the predictions which were made when the question was discussed last year, amounted to this—that the imposition of the duty would cause a great diminution in the export of coal. I do not think that prediction has been verified. Here is a statement of the quantity exported to foreign countries in the year 1842 as compared to the year 1841. In 1841, the number of tons exexported to all foreign countries was 1,848,000, whilst the number of tons exported last year was 1,999,000; showing a considerable increase. If you take the latter half of the year alone, and compare it with the preceding, there will be found a diminution. And on what account? Because, for four months notice had been given of the intention to impose the tax; and there was then an immensely increased export, for the very purpose of taking advantage of the interval, and exporting the coal free of duty. That led to an unusual, and unduly increased export of coal. In the quarter ending the 5th July—that is, the quarter before the coal duty was imposed—there was a larger export of coal than had ever been previously known. And what was the natural consequence? That since that time there had been a diminution, not a positive diminution from which you are to argue, that this tax is likely to have a permanently injurious effect on the export of coal, but in consequence of the undue stimulus given to exports in the preceding quarter there has been a corresponding depression in the last quarter. And this is the way in which the defalcation must be accounted for. The duty amounts to 112,000*l.* It was imposed only last year. It has only taken effect for nine months. It was imposed by a large majority of the House, not because it was a good tax in the abstract, but to make up a deficiency in the revenue. These reasons still continue. These is still a deficit. If you think the tax is in itself a bad one—so injurious, permanently injurious to the coal trade, that the advantage derived from it by the revenue does not counterbalance its evil effect, I admit, that the mere circumstance that only nine months have elapsed since the imposition of the tax ought not to be a conclusive reason why you should not, in the exercise of your judgment, consider the propriety of repealing it now. But have you had sufficient experience to enable you to draw any fair conclusion? I hope the House will support the Government in its attempt to maintain the public credit—that they will not set the example of repealing this tax merely because it only produces 100,000*l.*, and because there is a formidable combination against it amongst those connected with the coal districts. When you come to consider the wool duty, those interested in the remission of that duty will, no doubt, combine together in order to procure it; and I see one of the hon. Members for Yorkshire smiling in anticipation of the course that may be adopted with respect to the wool duty. This may be the case on every distinct duty. The parties interested will combine together. We trust, however, that the majority of the House, looking to large and comprehensive considerations, to the state of the revenue, and to the necessity of maintaining the public credit, will resist the natural, and perhaps laudable attempts that may be made by interested parties to benefit their constituents by repealing particular taxes. On this ground I hope the majority will support the Government in maintaining this tax, until either by its failure, or by more convincing evidence, they are satisfied that it is in itself altogether unjustifiable.

Mr. *Liddell* said, that, after the speech of the right hon. Baronet, and the manner in which this motion was introduced by the noble Lord opposite, and considering the connection which he held with the district most interested in this tax, he hoped the House would permit him to address it for a short time. Although he considered, in common with many connected with the coal trade, that this motion was most ill-timed and imprudent, he should still support it. It was consistent with his duty and the opinions he held to give no vote in defence of a tax which he held to be injudicious and it was equally consistent for him to state that the motion was at the present moment ill-timed. He was perfectly aware that the motion would be met by the argument, which the right hon. Baronet had just addressed to the House, when he called upon them to support the public credit, and that this tax, which the House had agreed to last Session, had not, up to the present period, produced sufficient for the purpose of supplying the deficit in the revenue, and it was because he foresaw that the answer would be made that the motion would be met by corresponding figures on that (the Ministerial) side of the House, and that the great majority of the House would be left in doubt as to the real effect of the measure, that he felt himself justified in saying that the motion was ill-timed. He was too well acquainted with the coal trade, and the opinions of those connected with it, not to do his duty, and support the motion of the noble Lord for a repeal of this tax. It had been placed by the right hon. Baronet and the Government entirely upon the score of revenue, but he would ask the right hon. Baronet whether the revenue expected to be derived from it was not of small amount, and whether, by consenting, for the sake of revenue, to a displacement of a large amount of capital and labour, he might not injure the revenue derived through the medium of the Customs and Excise to a degree greater than any benefit that could be derived from this tax?

The House divided on the question that the words proposed to be left out stand part of the question. Ayes 187; Noes 124: Majority 63.

List of the AYES.

Acland, Sir T. D.
A'Court, Capt.
Adare, Visct.
Adderly, C. B.
Allix, J. P.
Antrobus, E.
Arkwright, G.
Bailey, J. jun.
Baillie, Col.
Barrington, Visct.
Baskerville, T. B. M.
Bentinck, Lord G.
Blackburne, J.
Blackstone, W. S.
Bodkin, W. H.
Boldero, H. G.
Botfield, B.
Boyd, J.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Broadwood, H.
Buckley, E.
Buller, Sir J. Y.
Charteris, hon. F.
Chelsea, Visct.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Clive, Visct.
Clive, hon. R. H.
Colvile, C. R.
Compton, H. C.
Corry, rt. hon. H.
Courtenay, Lord
Cripps, W.
Darby, G.
Dawnay, hon. W. H.
Denison, E. B.
Dickinson, F. H.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Drummond, H. H.
Duffield, T.
Duncombe. hon. A.
Du Pre, C. G.
Eaton, R. J.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Farnham, E. B.
Fielden, W.
Filmer, Sir E.
Fitzroy, hon. E.
Flower, Sir J.
Follett, Sir W. W.
Forbes, W.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Gladstone, Capt.
Godson, R.
Gordon, hon. Capt.

Gore, M.
Gore, W. O.
Gore, W. R. O.
Goring, C.
Graham, rt. hn. Sir J.
Granby, Marquess of
Greenall, P.
Greene, T.
Gregory, W. H.
Grimston, Visct.
Grogan, E.
Halford, H.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hayes, Sir E.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hindley, C.
Hogg, J. W.
Holmes, hn. W. A'C.
Hope, A.
Hope, G. W.
Hughes, W. B.
Hussey, A.
Hussey, T.
Inglis, Sir R. H.
Jermyn, Earl
Jones, Capt.
Knatchbull, rt. hn. Sir E
Knight, F. W.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Legh, C.
Leslie, C. P.
Lincoln, Earl of
Lockhart, W.
Lowther, J. H.
Lowther, hon. Col.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
McGeachy, F. A.
Mahon, Visct.
Mainwaring, T.
Manners, Lord C. S.
Marsham, Visct.
Martin, C. W.
Masterman, J.
Maxwell, hon. J. P.
Meynell, Capt.
Mildmay, H. St. J.
Miles, P. W. S.
Mitchell, T. A.
Mordaunt, Sir J.
Morgan, O.
Morgan, C.
Murray, C. R. S.
Neeld, J.
Newport, Visct.
Newry, Visct.
Nicholl, rt. hn. J.
Norreys, Lord
Northland, Visct.
O'Brien, A. S.
Packe, C. W.
Pakington, J. S.
Peel, rt. hn. Sir R.
Peel, J.
Pennant, hon. Col.
Plumptre, J. P.
Pollock, Sir F.
Polhill, F.
Pringle, A.
Pusey, P.
Rashleigh, W.
Reid, Sir J. R.
Rendlesham, Lord
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, J.
Rushbrooke, Col.
Ryder, hon. G. D.
Sandon, Visct.
Shaw, rt. hon. F.
Shirley, E. J.
Smith, A.
Smith, rt. hn. T. B. C.
Smollett, A.
Somerset, Lord G.
Sotheron, T. H. S.
Spry, Sir S. T.
Stanley, Lord
Stanley, E.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Taylor, T. E.
Tennent, J. E.
Thesiger, F.
Tollemache, J.
Trench, Sir F. W.
Trevor, hon. G. R.
Trollope, Sir J.
Turnor, C.
Vernon, G. H.
Vesey, hon. T.
Vivian, J. E.
Waddington, H. S.
Wilbraham, hn. R. B.
Wortley, hon. J. S.
Wortley, hon. J. S.
Young, J.

TELLERS.

Fremantle, Sir T.
Baring, H.

List of the NOES.

Aglionby, H. A.
Aldam, W.
Anson, hon. Col.
Attwood, M.
Bannerman, A.
Barclay, D.
Baring, rt. hn. F. T.
Barnard, E. G.
Barron, Sir H. W.
Bell, M.
Bell, J.
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, hon. G. F.
Bernal, R.
Bernal, Capt.
Blake, Sir V.
Blewitt, R. J.
Bowes, J.
Bowring, Dr.
Brotherton, J.
Bulkeley, Sir R. B. W.
Buller, C.
Busfeild, W.
Carew, hon. R. S.
Cavendish, hon. G. H.
Chapman, B.
Childers, J. W.
Christie, W. D.
Clements, Visct.
Cobden, R.
Colborne, hn. W. N. R.
Craig, W. G.
Dashwood, G. H.
Dawson, hon. T. V.
Duke, Sir J.
Duncan, G.
Duncombe, T.
Dundas, Adm.
Dundas, D.
Dungannon, Visct.
Elphinstone, H.
Ewart, W.
Ferguson, Col.
Ferguson, Sir R. A.
Fitzwilliam, hn. G. W.
Forster, M.
Gisborne, T.
Gore, hon. R.
Granger, T. C.
Grey, rt. hon. Sir G.
Hallyburton, Lord J. F.
Hay, Sir A. L.
Heneage, E.
Hinde, J. H.
Hodgson, R.
Hollond, R.
Horsman, E.
Howard, hn. C. W. G.
Howard, hon. J. K.
Howard, hon. H.
Howick, Visct.
Hume, J.
Hutt, W.
Jervis, J.
Labouchere, rt. hn. H.
Lambton, H.
Langston, J. H.
Lascelles, hon. W. S.
Leader, J. T.
Liddell, hon. H. T.
Macaulay, rt. hn. T. B.
Mangles, R. D.
Marjoribanks, S.
Marsland, H.
Martin, J.
Mitcalfe, H.
Morris, D.
Morrison, Gen.
O'Brien, W. S.
O'Connell, M. J.
O'Conor, Don
O'Ferrall, R. M.
Ogle, S. C. H.
Ord, W.
Paget, Col.
Paget, Lord A.
Parker, J.
Pechell, Capt.
Philips, G. R.
Plumridge, Capt.
Ponsonby, hon. C. F. C.
Protheroe, E.
Pulsford, R.
Redington, T. N.
Ricardo, J. L.
Rice, E. R.
Roche, Sir D.
Ross, D. R.
Russell, Lord E.
Scholefield, J.
Scott, R.
Seale, Sir J. H.
Seymour, Lord
Smith, B.
Smith, J. A.
Stansfield, W. R.
Stewart, P. M.
Strutt, E.
Talbot, C. R. M.
Tancred, H. W.
Thorneley, T.
Traill, G.
Vane, Lord H.
Vivian, J. H.
Wall, C. B.
Watson, W. H.
Wemyss, Capt.
Williams, W.
Wood, B.
Wood, C.
Wyse, T.
Yorke, H. R.

TELLERS.

Hill, Lord M.
Tuffnell, H.

House went into committee *pro formâ*, and resumed.

THE MILITARY PREPARATIONS. (IRELAND.)] Mr. *Ewart* moved for a—

"Return of the cost of the late expedition of the Rhadamanthus steamer from Dublin to Waterford; with an account of the causes which led to, and the results, if any, which attended the expedition."

He said, that he had been led to make the motion from two considerations; one arriving from the mystery which involved the expedition and perplexed the public; the other the expediency and justice of affording the Government an opportunity of explaining and justifying its proceedings. The Government had been accussed of not being sufficiently Irish in its policy; but he must say, that in one sense (and that not a very just sense in which the term was applied) nothing could be more Irish than their conduct on the present occasion. Indeed, it might be said that they were *Hibernis ipsis Hiberniores.* He must also compliment them for the peculiar felicity with which they had chosen the Rhadamanthus as their organ on the present occasion. They had sent it to coerce a set of people before they knew what they had been guilty of; and this they were told, on high authority, was the peculiar characteristic of Rhadamanthus: "*Castigatque auditque dolos.*" He punished first, and found out whether they were guilty afterwards. On the whole he hoped that the noble Secretary (Lord Eliot) would enlighten the House and the Irish people on the object and results of the expedition.

Sir *Robert Peel* said, that he had anticipated the hon. Gentleman in his quotation about the Rhadamanthus, and he hoped that, having made this quotation and another, he would be satisfied, without pressing the motion to a division, however desirous he might be to ascertain what were the objects of the expedition.

Mr. *M. J. O'Connell* said, that he should certainly support the motion of the hon. Gentleman. He thought the Government ought to be able to give an account of their motives and their conduct. He would apply to them the remainder of a line which had been quoted already—

"——subigitque fateri"

They ought to be made to confess what they had contemplated and what they had accomplished.

Mr. *Wyse* said, that nothing had filled the people of Waterford with greater astonishment than the expedition in question. In fact, they had expressed their opinion in a rhyme which was current in the papers, and among the people:—

"The Rhadamanthus with a thousand men,
Steam'd down to Waterford—and back again."

He supported the motion.

Lord *Eliot* expressed himself as unable to give the return proposed. Perhaps a return might be made of the expenses of the expedition. But on the whole he trusted the hon. Gentleman would not press his motion.

Mr. *Ewart* said, that as the noble Lord promised him no result (and the hour being late), he would abstain from pressing it at present. But he must say that nobody could account for the proceeding of the Government except the Government itself.

Motion withdrawn, House adjourned at half past one o'clock.

HOUSE OF LORDS,

Tuesday, June 13, 1843.

MINUTES.] BILLS. *Public.*—$2^{a.}$ Church of Scotland Benefices.

Private.—$1^{a.}$ Bardney Drainage; Leamington Priors Improvement; Hull Water Works; M'Culloch's Estate. $2^{a.}$ Southampton Cemetery; Chalgrove Inclosure; Southampton Docks; Walton-on-the-Hill Rectory; Earl of Gainsborough's Estate; Kentish Town Paving.

Reported. — Birmingham and Gloucester Railway; Edinburgh and Glasgow Union Canal; Saltcoats Harbour; Ballochney Railway.

PETITIONS PRESENTED. By the Bishop of Ripon, from a number of places, for Church Extension.—By the Earls of Clarendon, Radnor, and Fitzwilliam, from Darlington, Deptford, Sunderland, and a number of other places, for the Total and Immediate Repeal of the Corn-laws.—From Lanark, and Penpont, for Improving the Condition of Parochial Schoolmasters in Scotland. — From Aberystwith, for carrying out Rowland Hill's Plan of Post-Office Reform.—From the Commissioners of Lighting and Paving in Ireland, against Repeal.

THE PRINCESS AUGUSTA OF CAMBRIDGE.—THE QUEEN'S MESSAGE.] On the motion of the Duke of *Wellington.*—Her Majesty's message on Friday was read. [See *Antè* p. 1289.]

The Duke of *Wellington*—My Lords, I rise, agreeably to the notice which I gave to your Lordships a few nights since, for the purpose of submitting a proposition in answer to her Majesty's most gracious communication just read. It is impossible that your Lordships or the whole of the country should not feel a lively and deep interest in the subject which Her Most Gracious Majesty has submitted to your consideration. It is impossible, when we call to mind the excellent qualities of her Royal Highness—her affability—to doubt that she has made a most favourable impression upon the minds of your Lordships. It is impossible that your Lordships cannot but take a great interest in the happiness and welfare of the illustrious Princess about to be allied to his Royal Highness Frederick Hereditary Grand Duke of Mecklenburgh Strelitz. I rejoice in the auspicious marriage which is about to take place with a Prince for whose qualities every individual who ever had the honour of knowing him must have the greatest respect, on account of the affability and kindness which he invariably manifested to all who approached his Royal Highness. I beg, my Lords, to move in answer to Her Most Gracious Majesty's message an address to thank her Majesty for the most gracious communication which it has pleased her Majesty to make to this House, relating to the intended marriage between her Royal Highness, the Princess Augusta Caroline, eldest daughter of his Royal Highness the Duke of Cambridge, and his Royal Highness Prince Frederick, Hereditary Grand Duke of Mecklenburgh Strelitz; that this House feels the most lively interest in any event connected which can contribute to the happiness of the Royal Family, and will concur in the measures which may be proposed for the consideration of the House to make a suitable provision for her Royal Highness on this occasion.

Earl *Fortescue* trusted their Lordships would do him the justice to believe, that he did not rise upon that occasion to oppose the motion just submitted to the House by the noble Duke. The contrary, he felt happy in expressing his entire concurrence in the observations which had fallen from the noble Duke. The noble Duke had but given expression to those sentiments of respect and esteem, and if he might use the term good-will, which he felt for the illustrious persons to whom the noble Duke had referred. He wished to take that opportunity however—the only one on which he could with propriety refer to the subject—to call the attention of the House to other parties connected with the Royal family; parties whose distress associated as it was with a late afflicting event, certainly entitled them to the sympathy and kind consideration of their Lordships and the country. He was bound, *in limine*, to state that he had had no communication either directly or indirectly with any of the parties interested in this matter. They were all utterly ignorant of the course which he was about to take, the responsibility of which for good or for ill rested solely on himself. It was not more than a month back that the noble Duke opposite,—and the right hon. Baronet, the Prime Minister of the country, moved addresses of condolence to her Majesty, on the lamented death of his Royal Highness the Duke of Sussex. Upon that occasion, both the noble Duke in that House and the Prime Minister in the other House of Parliament, expressed in the highest terms their sentiments of respect for the memory of his Royal Highness. The sentiments so expressed were, he believed, shared by all. All concurred in the tribute paid to the high and varied attainments which his Royal Highness had exhibited during life—to the liberal and unostentatious patronage which he had extended to science — to his extensive charity—and to his constant efforts to promote all those objects which he thought calculated to advance the improvement and happiness of his fellow-creatures. The situation of his Royal Highness was different from that of any other member of the Royal family. He was the only member of the Royal family who had never received any income in addition to his Parliamentary grant, and if he had not been misinformed, his Royal Highness up to the age of thirty did not receive that Parliamentary allowance, but was solely, in the receipt of the limited income which he derived from his father, George 3rd. Under these circumstances, he was necessarily a good deal embarrassed, and these embarrassments continued for a considerable period afterwards. In 1831, his Royal Highness married Lady Cecelia Underwood. The circumstances of their marriage were, he (Earl Fortescue) believed, known to his late Majesty William 4th; but for reasons of which he was not aware, it was not thought advisable to make any public declaration of that event. It was his Royal Highness's intention, however, subsequent to the marriage of her present Majesty, to make a public declaration of his marriage, and if no address proceeded from either House of Parliament against it, he (Earl Fortescue) understood, that his Royal Highness would have been entitled to consider his marriage strictly legal. The Duke of Sussex had, however, by the persuasion of his wife, abandoned that determination, in consequence of her Majesty having expressed her wish to that effect, and her intention to confer upon Lady Cecelia Underwood) the title of Duchess of Inverness. Though the marriage of his Royal Highness was not held valid in law, there could exist no doubt but that it was so in a moral point of view. His Royal Highness, by a former marriage with Lady Augusta Murray, had also two children, whose chief if not their sole income, was the allowance made them by His Royal Highness. He believed, that after the sale of all his Royal Highness's effects, and the payment of his just debts, there would be nothing left for the maintenance of his family, who would not merely be deprived of their present affluence, but even of the comforts common to all who moved in the circles in which they had been accustomed to life. He well knew, that no proposition for a public grant of money could originate in that House, but he trusted that the notice which he had drawn to the subject would excite attention in another place, in which a proposition for some provision for the parties in question could only be made.

The Duke of *Wellington*: My Lords, the motion which I had the honour to submit to your Lordships affords your Lordships an opportunity of discussing any questions connected with the subject of a provision for the Royal Family. I very much regret that the noble Lord did not give notice of his intention to discuss the question which the noble Lord has brought under the consideration of your Lordships' House. If the noble Lord had given that notice it would have enabled those connected with her Majesty's Government to have spoken with some authority on the subject. The noble Lord has only done justice to myself, and to my right hon. Friend in the House of Commons, in stating that we spoke of the late illustrious Duke with the utmost respect, and that both of us entertained the sincerest admiration of the qualities, the acquirements, and the life of his late Royal Highness. For my part, I always felt the greatest respect for him; I always experienced the utmost affability and kindness from him; I respected his virtues, and I felt how much he was esteemed by the people. My Lords, I had no knowledge whatever, nor, indeed could I acquire any knowledge, respecting his different marriages, or the circumstances to which the noble Earl has adverted. Of course, therefore, I can in no way be prepared to state anything upon those subjects; and your Lordships will, I am sure, excuse me for not further adverting to them than to repeat my respect for his Royal Highness's memory, and to lament that any friends of his should be left in any state of difficulty. It is obvious that the marriage referred to, though a marriage in a moral point of view, in a legal and political view could be no marriage of a member of the Royal family, and cannot be considered as such in discussing a question of this kind either in this House, or in another place, where, if the matter were discussed at all, it must, of course, be brought under more distinct consideration.

Lord *Brougham* felt with the noble Duke, that the observations of the noble Earl, though clearly proceeding from the kindest and best motives that any man's heart could entertain, yet were entirely foreign to the question before the House. The question was one in which he hoped the House would unanimously concur. For his own part, he entirely approved of what had fallen from the noble Duke with respect to it, and he should give his most cordial vote in favour of the motion. With respect to what had fallen from the noble Earl, having had the honour of holding office under his late Majesty King William 4th., and the circumstances referred to having then been brought under his notice, he wished to be understood, that his silence upon this occasion was not to be taken as an assent to the legal doctrine laid down, to his utter astonishment, by his noble Friend. Further than this he would only add, that he had the highest respect for his Royal Highness, and that nothing would give him more satisfaction or greater joy than anything which could conduce to relieve the distress in which it was stated his friends were involved.

The address was agreed to *nem. con.* and was ordered to be taken up to her Majesty by the Lords with white staves.

CHURCH OF SCOTLAND BENEFICES.] The Earl of *Aberdeen*: My Lords, I have now to move your Lordships to give a second reading to a bill "to remove doubts respecting the admission of Ministers to benefices in Scotland;" and if I was desirous of introducing the bill to the House at the earliest moment it was possible to do so, it was because I was most anxious to secure for it the benefit of a fair consideration in its future progress, and because I entertain a most sanguine hope that the adoption of this measure will be the means of producing the most beneficial effect to Scotland. My Lords, I thought it probable—nay, certain—that this measure would entirely fail to give satisfaction to either of the extreme parties by which Scotland has been disturbed for several years past. I felt that by the non-intrusion party it would be denounced as Erastian, and treated as a delusion, a mockery, and as utterly worthless; whilst by the opposite party, and those who by a whimsical misnomer are called "violent moderators," I felt that it would be denounced as an unnecessary and an unwarranted interference with the rights of the church. But, my Lords, I look to the great body of the clergy, men who are desirous to remain in the church of their fathers, and to continue with a safe conscience to exercise their holy functions; and I look also to the contentment of the people for whom it is my desire to secure that right which they so highly value, but the exercise of which has lately been called in question, and exposed to such great uncertainty and doubt. My Lords, not long ago a noble and learned Lord opposite styled me in the course of one of his speeches an "eminent non-intrusionist." For my part, I am not disposed to reject the appellation; but the noble and learned Lord will probably be not a little surprised to learn, that, non-intrusionist as I may be, I am, nevertheless, by the leaders of that party as bitterly reviled as he is himself. I can assure the noble Lord that I occupy a prominent place in the non-intrusionists' catalogue of those whom they think their enemies and the persecutors of the church. It is true, however, that upon this point I am perfectly careless. Throughout my life I have always endeavoured to promote the welfare and prosperity of an institution which has bestowed such incalculable blessings on the country, and to which I myself am devotedly attached. I think it, indeed, no small proof of my devotion to that church that I now find myself opposed to my noble and learned Friend on a question relating to the interpretation of the law, and I can assure my noble and learned Friend, notwithstanding my own strong conviction, and notwithstanding the support which that conviction has received from legal friends in Scotland, I certainly should not have placed myself in that position were it not for the nature and character of my cause. My Lords, I have already said I would accept the title the noble and learned Lord has given me; but, further than that, I am ready to declare that I consider it a fundamental principle of the Church of Scotland, that no man shall be intruded on a congregation against the will of the people to whom he was appointed. But, although, my Lords, I admit this, and, indeed, I could not do otherwise—for this principle is the principle of every Calvinistic church in Europe,—nevertheless, I do not hesitate to interpret that principle according to the dictates of reason and of common sense. I do not regard it as a point to be construed according to the mere will—the arbitrary and capricious will, of the people, but rather as a matter capable of being explained and judged of. This I believe to be the way in which the principle is interpreted by every church in Europe, and that this is the true interpretation I have no doubt. I hold in my hand a book by Sir W. Hamilton, which, though small in bulk, exhibits much learning and research, in which it is proved that this is the principle on which the law is founded. I, in this House, have declared over and over again, that this was the interpretation of Calvin himself—that it was the interpretation of Knox and the fathers of the church, and that it has been the interpretation of the Church of Scotland and of her Assembly; but the author of this work has proved that such was the practice in the Church of Geneva, in the Church of Holland, in the English Church established by the Parliament in 1645, and in the French Calvinistic Church, which, not being the established church, might possibly have been governed by a different principle, and the result of his inquiries and observations he declares to be, that the assertion contrary to that principle is based on as signal and melancholy a perversion of truth as is to be found in the whole series of religious controversies. Having thus defended the principle, I think it is unnecessary to dwell longer upon this point, because, as most noble Lords know, the matter has been finally decided by the judgment of your Lordships' House. It was pronounced by the courts below, and this House subsequently pronounced a decree in confirmation of their judgment, that objection to the presentee without reason assigned was illegal and futile. Such being the case, the question then comes to this—what are the objections which can be admitted and of which the church can take cognizance? My noble and learned Friend in the judgment he delivered limited the objections taken to any presentee to objections applicable to his life, literature, and doctrine. He gave a technical interpretation to the terms "qualified person" and "ministerial qualifications." Now I can only say, if such be the admitted and received interpretation, my noble and learned Friend will succeed in disestablishing the whole Church of Scotland. Your Lordships have seen how numerous a body have zealously and sincerely interpreted the right of objection without reason assigned as a scriptural and legal right; but there are other parties in connexion with the church who only a few days ago issued regulations for the adoption of their ministers as diametrically opposed to the dictum of my noble Friend as are the reasons of the other party. Every one of those reasons are equally illegal and inadmissible according to the judgement of your Lordships, and undoubtedly both parties discard that judgement and adhere tenaciously to the views they each adopt. But, my Lords, this question—the interpretation of these terms of "qualified person," and "qualifications of presentation," was not a point argued here nor in the courts below. It was not necessary that it should be argued, for the question simply was, whether the church had the power to divest itself of the right of judging of the qualification, and could delegate to any portion of the people the right to refuse the party presented, without assigning any reason for such refusal? That was the point argued and decided in the courts below—that was the point argued here, and the other question was never argued here, or required to be decided here. My Lords, it is no doubt true that objections to the qualification of the person presented on account of his "life, literature and doctrines," are equally applicable in the Church of Scotland as in that of England, as they must be, indeed, to all persons offering themselves to undertake the holy office. It must be indispensable there as here that there should be morality in life, ability in literature, and orthodoxy in doctrine on the part of the person to be inducted; this is as indispensable in this country as in any other; and I will say further, that, looking at the question in the abstract, it is quite possible that this may embrace all that in the abstract could be possibly required from a person about to assume the functions of the ministry. This at any rate is all that is required in England, for although it may be said that there is a title to be acquired here, yet, as your Lordships know, that is a mere fiction. But the case is different in Scotland. In Scotland there is no *vagum ministerium*. In Scotland every person is ordained when presented to a particular living, and he must be qualified for that living and the parish to which he is presented when he is ordained. Here there opens a new field of qualification necessary for such a person. In England he does not know to what parish he may be ordained, or how far he may be fitted for its duties; but in Scotland the presentation is directed to a particular presbytery, who are to judge of his qualifications for the particular place to which he is appointed. And let me for a moment call your Lordships' attention to the form of presentation. It describes and all the forms, I believe, are drawn in the same way—it nominates such a person to be a minister of such a parish or church "all the days of his life," and requires the presbytery to take cognizance of his "life, literature, and doctrine," and, having found him qualified for the ministry "of the said church or parish," to admit and receive him thereto. It is not, therefore, the special qualifications of life, literature, and conversation that are looked to, but the general fitness of the party for the particular church or parish to which he is to be admitted. Our statutes, in fact, say nothing about the life, literature, and doctrine of the person admitted—nothing whatever; he is to be a qualified person—and qualified for what? Not, as I said before, for the ministry merely, but for the particular parish to which he is presented. That is the qualification which he should possess; and our statutes prescribe no other qualifications further than that the presbytery should try, examine, and, if he be found qualified, admit the presentee to the parish. The statute 5th George 1st, says,

> "That the fact of persons being obliged to take certain oaths shall not interfere with the right of the presbytery to try the qualifications of candidates for admission."

It also uses the term "gifts and qualities"—they are to be tried—but in no portion of any of the statutes does it appear that the interpretation of "qualities and qualifications" is to be limited in the manner proposed by noble and learned Lords. My noble and learned Friend has admitted that it is necessary a minister should understand the language in which he is to preach. That is certainly a very obvious necessity; but this is not what was contemplated by the declaration of insufficiency of literature. I could state a case in which there might be too much learning. In Scotland a man may be presented to a particular parish for which he is not suitable. Suppose a minister were to preach such sermons as the three by Bishop Butler upon human nature, which, in my humble opinion, are full of the most admirable arguments that were ever perhaps produced in a pulpit; if they were delivered to a congregation of East Lothian ploughmen or illiterate persons, the people would naturally say, and of course the presbytery too, that they could not understand a word of what was advanced. Would that be insufficient or sufficient literature, for it would be perfectly unintelligible to that particular congregation? Therefore, a minister being directed to that particular parish, the presbytery would be bound to judge and object that such a minister could not be understood, and if his mind was so metaphysically constituted that he could preach none but such sermons, he would be utterly unsuited for that parish. I say, therefore, that the doctrine of a man being suited to the parish to which he is presented has so invariably been acted upon in Scotland, and so implicitly received by one portion of the church as well as by the other, that I venture to affirm that there is not a minister in the church who would not adhere to and maintain that position. It becomes, therefore, indispensably necessary, now that doubts have been thrown upon such an interpretation as that which I have described, to clear up those doubts by acquiescing in the interpretation which has been invariably given. I am sure that the noble and learned Lord will admit such to be the case. I am sure that he is prepared to admit what the effect must be if such be not the case. I am happy to recollect his declaration, which leads me to expect that he will endeavour to tranquillize the minds of those persons who are so deeply interested in the question by subscribing to that interpretation; for, even if it were wrong, I think this is a case in which the rule *Communis error facit jus* should guide us. Indeed it would be impossible to resist this limited modification of the rights of the Church. The whole principle of the settlement of the ministry in Scotland is composed of the people being entitled to object, and the presbytery to judge. My object is to allow the greatest possible latitude of objection on the part of the people, and giving the entire freedom of judgment to the presbytery. [Lord *Campbell*: "Do you propose to confer a *liberum arbitrium.*"] No; for the terms being vague the right would be inoperative; but a *liberum judicium*, if you please, obliging those entrusted with the power to state their objections. But the presbytery is both bound to judge, and to proceed in its judgment upon the principle which the Church has maintained. The point not having been raised in the court below it was not argued; but this much is quite clear, that I believe that not one, or scarcely one, if any, of the judges in their elaborate judgment has said anything of a contrary description, or has given any support to the doctrine laid down by my noble and learned Friend (Lord Brougham) as to the technical and limited extent of qualification. But, I am quite sure of this, that a great majority of the judges, by implication, have admitted the reverse of that for which my noble and learned Friend contended; while the very letter which my noble and learned Friend read the other day from Lord Corehouse completely contradicts his limited interpretation of the term, for Lord Corehouse himself says in that letter:—

> "Relevant objections to the presentee may be urged before the Church concerning not only his life, literature, and doctrine, but likewise on some other grounds recognized by the canon law—his inablity to perform the duties of a minister from blindness, deafness, or defective utterance, or from infirmities preventing his visitation of the people, or from his ignorance of the language of the majority of his parishioners, or from necessary and unavoidable connection with secular business to a great extent, and I believe some others."

Some others! Now, I believe that in the judgment of Lord Corehouse on the Auchterarder case he also says:—

> "Every other known objection, whether of canon law or our own law—and they are nearly identical—to the fitness or idoneity, as it is called by the canonists, or to the eligibility for office would be enough; for example, that, in Scotland, ministers do not understand the Gaelic language, or dialect of that language spoken in the district, or that they have too weak a voice for the size of the church."

Would that be admitted in England? No, because nobody knows to what Church he shall be appointed, and a weak voice is as good as a strong one in a small church. But here Lord Corehouse says:—

> "No man should be appointed who is too

feeble to do the duty of a highland parish forty miles in length, or of a lowland parish containing 20,000 inhabitants: all this is idoneity."

What is idoneity? A simple and more familiar word will give its meaning—it is suitableness, fitness. This, of course, he admits is a point for the consideration of the presbytery to which the person is presented as a qualified person for that particular parish. The other judges implied the same thing; none of them that I am aware—none of all those judges—and we have heard enough, not too much of their ability and of their learning, held a contrary opinion. Lord Jeffrey and Lord Moncrieff adjudged that the people were entitled to object, and without assigning any reason. Of course, then, they must all be entitled to object, if they assigned any reason; but even those learned judges—and Lord Corehouse was one who pronounced the judgment below which was affirmed here—all appear to me by implication to admit that for which I contend. My noble friend read a letter from Lord Corehouse some time ago, and with reference to the bill now on your Lordships' Table. It happens that this very morning I received a letter from a noble friend of mine in Scotland—a very influential person, and a great partisan in this question—who applied to me to make the bill upon the Table much more of a non-intrusion character, and to extend its provisions further than, I believe, my noble and learned Friend opposite would a pprove, or I should myself approve. But, in the postcript of his letter he says,—

> "I was with Lord Corehouse yesterday. He says the bill is exactly what he considers the present law to be, or as nearly so as possible."

Now, that is the opinion of Lord Corehouse as applied to the bill on the Table. [Lord *Brougham*: "It must be Lord Belhaven you mean, from the accuracy of the statements.] No doubt Lord Belhaven may be of that opinion. But, if the noble and learned Lord wishes for another opinion of Lord Corehouse, he shall have it. The bill on the Table is the same as that I produced three years ago; and this is an extract from a letter written to a mutual friend, with reference to my former bill in 1840:—

> "I enclose a copy of Lord Aberdeen's bill, which I am glad to find is very different from what it was represented to be. It is declaratory of the law of Scotland as it stands at present, and must always remain while patronage exists."

What does the noble and learned Lord say to that? That is the opinion of a man whom we all delight to honour; and all would cheerfully join in paying any tribute of admiration to his learning, and judgment, and talent as a lawyer. If, then, my noble Friend is dissatisfied with Lord Corehouse's opinion on the present bill, I hope he will at least be satisfied with his opinion of the former one. I say, therefore, that by the invariable practice and principles of the Church of Scotland every man is presented, when ordained, to a particular living or parish, and it necessarily opens the ground for special objection to be urged against his admission to that living or parish. I can quote on this part of the question, an extract from Lord Medwin's judgment in the Auchterarder case:—

> "Suitableness or meetness, (said the learned Lord) "for the situation may be among the qualifications of a presentee which the Church may inquire into, besides examining into his life, literature and conversation; but then they must inquire into the matter themselves, it must be the subject of trial by them, for it is to the presbytery that the State, in concurrence with the Church, has intrusted the duty of examination into all the requisite qualifications of ministers."

Is not that conclusive as to the opinion of this learned judge that either matters may be taken into consideration besides objections to the life, literature, and conversation of the minister? It is clear to me that the general tendency of the opinions of the great majority of the judges, and no doubt that of the great body of the profession of the law in Scotland, does not differ upon this subject; and the opinions I am now expressing are decidedly those of the law-officers of the Crown, under whose inspection and supervision the measure has been concocted. Only a few days ago, the present Lord Justice Clerk, in deciding a case affecting a presentee to whom objections had been urged on account of physical defects in the Court of Session, took occasion in pronouncing judgment, more than once, emphatically to declare that it was the duty of the presentor to see that the party was fit and suitable and competent for the particular parish to which he was appointed; and the two other judges, Lords Meadowbank and Medwin, both concurred. This happened two or three weeks ago, and such has been the invariable opinion. Now, if this point had been argued and decided in this House; no man living would more implicitly bow to the decision of noble Lords than I should; and I really think it is the greatest tribute it is possible to concede to the learning and integrity of the noble and learned personages who have successively occupied the Woolsack, that the people of Scotland should be so universally satisfied, as they are, with your Lordships' appellate jurisdiction, though they bring their causes to be heard by a judge comparatively ignorant of the law he administers—as he must be if it be at all like that we have heard described; and not only comparatively ignorant of that law, but, having a degree of prejudice against it, and a preference to that which is more peculiarly his own. Nevertheless, the people of Scotland are and always have been perfectly satisfied of the justice and wisdom of your Lordships' decisions in all these cases. But then it is a decision—a solemn judgment with which they are thus satisfied, and not with a mere *obiter dictum:* and I am sure the noble and learned Lord opposite must see the force of the distinction. Nor must your Lordships be surprised if they defer to the opinions of men who have made this law the study of their lives, and who are distinguished by their abilities, until those opinions have been set aside by stronger judgments. If by the law and constitution of this country, we were compelled to appeal from all the Courts of Westminster Hall to those of Paris, I am sure my noble and learned Friend on the Woolsack and noble Lords opposite would, most undoubtedly, be disposed to acquiesce in a matter of English law to the Courts of Westminster until they should be set aside by the superior judgment and ability of the *Garde des Sceaux.* The bill on the Table is the same which I introduced three years ago, and which was read a second time in this House. No doubt it would have passed altogether if I had persevered in pressing it forward; but I abstained from doing so, and I think it right now to say, that the noble Viscount then at the head of her Majesty's Government never pronounced any opinion adverse to that bill. On the contrary, he said in his place that he never had said a word to prevent him from taking possession of the bill if he thought proper, but he opposed it because he thought its introduction at that moment inopportune. Over and over again the noble Viscount declared that he would not give any adverse opinion upon it, though he did not support it. I lament that exceedingly. No doubt the noble Viscount did what he thought was right; still, if he had found it possible to give his support to that bill, I believe that the lamentable transactions which have taken place in the Church of Scotland would never have happened. That is my sincere belief; and of those who opposed it in this House so universally—for my noble Friend the noble Marquess, who has left us, and the Church, too, I am sorry to say, was not present during the discussion on that occasion, none voted against that bill on any other ground than because it did too much. I hold in my hand a list of 400 Ministers of the Church and elders, who signed an approbation of that bill. They are all members of the Church at this moment, and most of the ministers are members of the Assembly, including the learned moderator and the most conspicuous members of the Assembly. The declaration in favour of the bill of 1840, signed by these 400 ministers, is to this effect.

"We, the undersigned ministers and elders of the Church of Scotland,"

There are 2,000 elders—

"desirous of making known our opinion of the measure proposed by Lord Aberdeen, as contained in the bill for removing doubts, &c., do declare that in our opinion the measure is, on the whole, perfectly accordant with the principles of our establishment."

The General Assembly, just before they were prorogued, issued regulations for the admission of ministers into benefices, and these regulations, without any concert with me, actually comprise the whole substance of the measure which is on your Lordships' Table, and, therefore, there can be no doubt that they approve and adopt the provisions of this measure. The bill provides, that when a presentee shall be appointed he is to preach in the parish church, notice of which shall be given that, if any one or more male parishioners of full age have any objection of any kind to the person so presented, or any reason against his settlement in that parish, or against his gifts and qualities for the cure of the parish, and which do not infer matter of charge against the presentee, the presbytery must receive such objections and reasons in writing, which shall be without delay fully considered and disposed of by the presbytery, by whom they are to be cognosced and determined on judicially. I know it may be objected by some, and particularly by a noble Friend of mine, who takes a great interest in this question, and possessess a great knowledge of the subject, that if the objections of "one or more" were to be admitted, if two persons might be able to defeat the settlement of the presentee, what are the objects sought to be obtained? That fit and properly qualified persons should be appointed to the cure of parishes. But of their fitness the presbytery are to judge. If the principle of election be admitted, it is obvious that for the objections of one or two to prevail against the majority would be an absurdity. But there is nothing of an election, for it is the presbytery who are to judge whether the objections be good or bad, and the objections only bring into action the functions of the presbytery. Even if the objection come not from a parishioner, but from another quarter, the presbytery would be still bound to judge. Collation comprises trial, examination, ordination, and induction; all are comprised in that term, and from whatever quarter an objection may come the presbytery are bound to judge of it. Now if the objection be a good one, what signifies whether it come from one or two, or from 100 to 200? The objection is the same, and the presbytery are to deal with the objection on its own merits, and not in respect to the quarter whence it comes, or the party who put it forth. But I do not deny that numbers are a very important element in some objections, not as to the life, literature, and doctrine of the presentee, because, take the case of a person presented to a large parish and a large church, who had a feeble voice; if one or two parishioners were to come to the presbytery and say, "we cannot hear the preacher," the presbytery might reply, "perhaps you are deaf or do not pay attention." But if half the parish should make the same complaint, numbers would add materially to the weight of such an objection; and so with many others, and all these objections are thus taken out of the limited and technical sense assigned to the term by my noble Friend. So as to an objection, which will not probably be uncommon—namely, that a particular preacher failed to edify; that of itself would be no objection at all if made by one or two persons only, and would deserve no attention; but if it was to be alleged by the great body of the parishioners, consisting of well disposed persons, and was confirmed by the experience and knowledge of the presbytery, it would be an objection which would deserve attention and would always receive it. In the next clause, therefore, I have endeavoured to provide that a certain degree of weight should be given to numbers. It provides that the presbytery or church court to which the objections shall be referred to be cognosced, shall be authorized to inquire into the whole circumstances of the parish, and the character and number of the persons by whom the objections and reasons are preferred, and if the presentee shall be found not qualified or not suitable for that particular parish the presbytery or court shall pronounce to that effect, and shall set forth the special grounds upon which the judgment is founded. There is a security against any arbitrary and unjust decision, in the necessity of specifying the grounds on which the judgment is founded, and the finding that the presentee is not qualified for a particular parish. It is true there may be possible cases of capricious adjudication. Why, every court may abuse its powers; but it is to be presumed, that the tribunal will not abandon its duty so far as to render any further protection necessary. The thing is barely possible, but it is not to be presumed; at all events there can be no better security than the control of public opinion and the specification of the grounds of objection, which will be quite sufficient to secure the presentee from any injustice. The real *status* and condition of the people is to object; that is, their whole concern, and privilege, and right —to make objections, if they have any objections to urge. The duty of the presbytery is to judge; and, therefore, whether the objections are made by many or by few, the functions of the presbytery are the same; and the protection to the presentee is in my opinion sufficient. The next clause provides that, if the presbytery are of opinion that the objections are not truly founded, they shall repel the same, and, subject to appeal, shall proceed to examine and admit the presentee. My Lords, I have thought it right in the following clause, notwithstanding the judgment pronounced by this House and now complied with by the General Assembly, to abolish the veto. I found in my communications with the rev. Gentlemen, that it was a great object, in some form or other, indirectly to establish the veto; and I think that, in order to prevent and obviate all doubt and difficulty and danger, it will be better to introduce this clause, declaring that it shall not be lawful for any presbytery or other ecclesiastical court to reject any presentee upon the ground of any mere dissent or dislike expressed by any part of the congregation of the parish in which he is presented, and which dissent or dislike shall not be founded upon objections or reasons to be fully cognosced, judged of, and determined in the manner aforesaid by the presbytery or other ecclesiastical court. The appeal, of course, in such cases, can only be to the superior Church courts. In judging of the qualifications of a presentee, the Church alone can decide, and it must be to the superior Church courts exclusively that an appeal can lie, provided only that the presbytery acts within its competency as a judicatory of the Church. This I have introduced, not because I think it necessary, because in case of any excess the civil courts are competent to interfere. For instance, suppose the presbytery should reject a presentee because he had accepted the presentation from a patron, that would be no reason for any presbytery to reject a man; as a presentee can only come before a presbytery by means of a presentation by law, such a rejection would be illegal; and in case of any other excess of power, it would be equally competent to a patron or presentee to bring the question before the Supreme Court. How, it may be asked, should it be done? Nothing can be more easy than for the presentee or patron to bring it by way of declarator as in the Auchterarder case; or of reduction, as in the Strathbogie case; or of interdict, or any other mode. So that although there is an appeal to the Church courts, that does not oust the jurisdiction of the civil courts where the former exceed their powers. The last clause is merely to quiet the apprehensions of those gentlemen, and secure their right of possession, who are placed in parishes under the Act of Assembly of May 1835, which never was legal. This, therefore, my Lords, is the bill; and I must say, that if it should be adopted, I believe it will, and I know it will, do much to retain in the Church a very numerous body of ministers who now are in suspense, and who can then continue their functions with safe consciences; and I know, my Lords, that it will prevent the great body of the people from following those ministers who have seceded from the Church. These are objects of paramount importance, which your Lordships, I trust, will secure, by giving effect to this bill. I will now say a few words respecting the secession which has already taken place. My Lords, this is undoubtedly an event of great importance, the consequences of which it is not possible at present to foresee; but although we may lament the occurrence, and think that it has proceeded from most erroneous and mistaken views, it is impossible not to do justice to the disinterestedness and purity of motive of those who have seceded. When your Lordships recollect that these men have sacrificed every secular good they possessed, and cast themselves upon the wide world, trusting only to the precarious support of voluntary contributions, abandoning wealth, station, and the respectable position they held in society, I think it is impossible for any one to withhold his sympathy from them, however mistaken they may be In their case we must admit that

"—the light that led astray
Was light direct from heaven."

My Lords, I have not an accurate account of the number of ministers who have seceded; I believe about 240 have left—seceded from the Church, being nearly one-fourth of the whole number. I think about 200 unendowed but ordained ministers have also joined them, making altogether 440 or 450 ordained ministers, including parochial and unendowed ministers, being more than one-third of the whole Church of Scotland, certainly a large and alarming proportion. Nevertheless, I do not consider that this secession will be attended with such fatal consequences as some apprehend from it. I trust that the renewed exertion, the increased zeal and devotion of the ministers of the Established Church, which are now doubly necessary, will fill the void. That there will be a diminution of the influence of the presbyterian religion in Scotland I have not the slightest apprehension, for those who have seceded are zealous presbyterians, and those who remain will be incited to exercise their ministerial functions with greater assiduity, and in a still more exemplary manner; so that I do not in the least expect a diminution of the influence of religion on the great body of the people. But this secession brings with it one consolation—namely, that it was inevitable. It is quite impossible for any man to doubt that the cause of the present secession has ceased to be a question of intrusion or non-intrusion. I think the bill on your Lordships' Table will satisfy you that it contains no provision which any reasonable man can object to. But the claim asserted of spiritual independence is one which is utterly inadmissible in any country under any Government which recognizes an Established Church.

The true spiritual independence of the Church nobody questions; it is recognized by all persons and all tribunals, and no one endeavours to diminish the recognition of that spiritual independence. But they claim to decide what is spiritual and what is civil. The Church admitted that it had no control over civil matters, which it abandoned to the state and the civil authorities; but it claimed to decide for itself what was civil and what was ecclesiastical, which would give to the Church a domination which it is impossible for any state to permit. To show how impracticable it would have been to prevent a secession founded upon such principles, I ask what it was they complained of—why they complained of the judgments of the civil tribunals—the judgments of those whose declarations of the law are pronounced without doubt and universally received without hesitation. They stated that they were unable to remain in the Church were such declarations to be confirmed as the law. Of course, then, to please these gentlemen, it is indispensable that the law should be altered which had been already so much perverted and abused. The sort of preamble which it would be necessary to attach to an act of Parliament to satisfy them, must say, that whereas the seceders declared in their claim of rights that the law courts had in numerous and repeated instances stepped beyond the province allotted them by the constitution, and within which alone their decisions could be held to declare the law, or to have the force of law, deciding not only civil but ecclesiastical and spiritual cases, and that, too, where the cause did not refer to the exercise of the right of patronage—thus invading the jurisdiction and encroaching upon the spiritual privileges of the Church, in defiance of the statutes and laws of the kingdom, be it therefore enacted. This was their official public declaration and protest, and according to it, unless redress should be offered, they could not have continued to remain in the Church. No Legislature could tolerate such pretensions for a single moment. Indeed, rather than sanction such monstrous claims as were set up by this party, I believe and declare that it would be better that the establishment itself should be abolished altogether. But these persons in seceding have declared that they do so upon the principle of the establishment. Now, this appears to be somewhat like a contradiction in terms. They seceded, they said, upon the establishment principle, and some one had said that they did so, as they had resisted upon the passive obedience principle. In truth, they must now become a voluntary Church. The venerable and amiable person who had first presided at their councils very anxiously pressed upon them to adhere to the establishment principle, and to reject the notion of becoming a voluntary Church. I hope, at the same time, that they will retain that charitable and mild tone which pervaded the language and opinions of the remarkable and distinguished person to whom I have referred; but I am afraid, that, like many other voluntary churches, they are destined to display more of bitterness and rancour than those who wish for the peace of the country, and their success, as promulgators of religious truth, will like to see exhibited. Indeed, one leading man among them, their chief legal adviser, has declared that Parliament would never have treated Ireland as it had done Scotland, and he gravely doubted whether it might not be proper to agitate for a repeal of the Scottish union. This is not all, One of their chief ecclesiastical leaders, and one of the most active, able, and influential among them, not, however, the distinguished man to whom I have referred, but another—has declared that it is his deliberate opinion that all communion should be avoided with the members of the Established Church, and that it would be even better not to attend the worship of God at all than to profit by the ministrations of a member of the establishment. And this was the way in which a church was talked of which they had only left twenty-four hours before, and left, too, not on account of any reprehensible doctrine maintained by it—still less on account of anything like persecution, but merely because the gentlemen in question were unable to persuade their brethren to violate the law of the country, and to adopt some strange impracticable notions of independence, incompatible with the maintenance of any establishment whatever. I lament to see these indications of a violent and bitter spirit against the establishment, and I hope that reflection upon the conduct of their leaders may produce some effect upon the deluded men whom they have led into their present situation. At all events, the great object of the Legislature and of the Government ought to be, to tranquillise those who still remain faithful to the principle of an establishment; and to give that satisfaction to the clergy and people which is anxiously expected by the country. With these observations, my Lords, I move the second reading of this bill.

The Earl of *Rosebery* and Lord *Brougham* rose together; the latter gave way, and the noble Earl said, he felt anxious that his noble and learned Friend would permit him to take that opportunity of addressing the House on the question then under their consideration. As he wished to make a few remarks on the general principle of the bill, he hoped his noble and learned Friend would forgive him for the interruption, as his noble and learned Friend would soon have the power of speaking upon the legal parts of the measure. He had given the subject mature deliberation for the last three years, since this bill had been first proposed, and he came to view the matter entirely free from prejudice. He acknowledged, as he had always done, that his noble Friend who had brought forward this bill was peculiarly fitted, from his position and connections, to deal with this subject; and if he had been so when he introduced his former measure he was much more so now, filling, as he did, a high and important office in the Government: but, while he admitted this, he must at the same time say, that he was as much disappointed with the present measure, as he had been with that which his noble Friend had introduced three years ago. He objected to the bill as unsuited to the emergency it was intended to meet, and as containing many provisions and enactments which must necessarily be so injurious in their operation, that they ought never to be adopted by Parliament. Now, what he understood to be the principle asserted by the Church of Scotland, was, that no minister ought to be forced upon a reluctant congregation in any parish, and that in all ecclesiastical matters the ecclesiastical courts should have the sole power and control. But while he held these principles to be those of the Presbyterian Church, he had never approved of, or vindicated, many of the proceedings of the General Assembly. He had never attempted to defend much of the language which that and other ecclesiastical courts had indulged in; nor had he ever justified or approved of the suspension of the Strathbogie ministers; for whatever might be the abstract right of the Assembly to do that act, he thought, under the peculiar circumstances of the case, it was cruel and unjust. He also considered, that nothing could have been more injudicious or improper than the assembling of the Convocation as it was termed, last year, and the resolution they then came to, that patronage in every shape, was an abuse and an abomination. But while he admitted this, he thought there were grounds of complaint on the part of the Church of Scotland which the General Assembly had a right to call upon Parliament to remove. No doubt the event to which his noble Friend had adverted, the secession of one-third of the endowed and unendowed ministers of the Church of Scotland, was a most melancholy one. Having anxiously examined that part of the subject, he must say, that he could see no sufficient reason for that step; though all must acknowledge, and in some respects admire, the conduct of those who had made such great sacrifices for the principles they conscientiously believed to be just, and in maintaining a course which they thought righteous. But while he admitted that the Assembly had acted in many respects in a way which could not be justified, he considered that their opponents had also acted in a manner that was most impolitic, unjust, and exasperating: It had been the habit of many of those who objected to the proceedings of the Assembly, both in that House and elsewhere, in speaking of the acts of that body, since 1834, to allude to them as the acts of the dominant party, without considering that the Assembly was legally constituted, and, that consequently, their acts were those of the General Assembly of the Church of Scotland. Again, it had been more than once asserted (most unjustly as he thought), that the Assembly were grasping at an extent of ecclesiastical power, resembling that of the Church of Rome, but which, recent facts showed was a most unfounded charge. With regard to the late secession from the Church, he believed, that the state of things which now existed, and which all must lament, would not have arisen, if the opponents of the seceders had not felt secure that that step would not be taken, and it would not have been taken but for the general opinion entertained in Scotland, that Parliament would not interpose or pass any satisfactory measure to allay the differences between the two parties. It was almost impossible to contemplate what had happened without dismay. The majority of their Lordships' House were unacquainted with the strong Presbyterian feeling which prevailed in Scotland on this subject. What would their Lordships say, if, at one blow, one-third of the clergy of this country had seceded from the Church? This, however, was only the commencement of evils of a much more dangerous kind. For how were the vacant churches to be filled? Those from whom they were to draw in order to fill them were more deeply imbued with the feeling which prevailed than the seceders themselves. It was to be feared, that instead of Scotland being what she had been for years past,—a model of moral conduct and peaceable behaviour, every parish would be filled with rival chapels: the seceded Church, preaching against the Established Church: and they would have not Catholic against Protestant, as in Ireland, but a similar state, and all the rancour of feeling and violence produced by difference between religious bodies agreeing together to a certain extent, but differing on some minor points. He thought, as he had said on a former occasion, that the wisest course Parliament could have followed, in order to put an effectual check to those evils, would have been, as soon as the Auchterarder case was decided by their Lordships affirming the judgment of the Court of Session, that the General Assembly had exceeded its powers, and that the Veto law of 1834 ought never to have been passed—the course would have been for Parliament then to have enacted a qualified veto law, taking away many of the objections to which the veto law of the Assembly was liable, and substituting, instead of a bare majority of the congregation, that a large proportion only should have the power of refusing the presentee, and adding an important provision, which he was sorry to see was altogether omitted from his noble Friend's bill—that if in the course of six months, the presentation should not be effected by the patron, the right to present should devolve to the Crown. The bill of his noble Friend gave a veto, but it was a most dangerous one, for if the bill passed in its present shape, the ecclesiastical courts would have a veto over the whole Church patronage of Scotland. There were many objections, also, to the wording of the bill. It would be difficult to define the difference which was intended by the use of the two terms "unsuitable" and "unacceptable" in reference to the right of objecting to the presentee by the congregation and the Presbytery. And again, as the clauses stood, it was doubtful to what extent the Presbytery might go in their objection to the presentee. By this bill, too, power was given to all the parishioners to object; not those in communion with the Church merely, but every parishioner. Thus a Roman Catholic, or an infidel, or any one most hostile to the Church, might make the objection to the presentation, as well as a member of the Church. His noble Friend had termed this a declaratory bill, and had told them that the law was as therein stated, and that it was only necessary in consequence of doubts which had arisen as to whether the law was so or not. His noble Friend had grounded that opinion upon views of his own, entirely differing from the decision given in the Auchterarder case; but he apprehended that the House was bound not only by its decisions, but by the grounds on which those decisions were given. Whilst he respected the opinions of noble Lords who dissented from his, he could not retract his objection to the bill. He thought it would prove subversive of that characteristic control which had been reposed with so much advantage in the body of the congregation when vacancies occurred in the several parishes of Scotland, and which control he considered to be the distinctive privilege and characteristic of the Scotch Church. Having thus stated as shortly as he could the objections he had to the particular form in which the bill had been presented, he repeated that his primary objection to the measure was, that it gave powers to the Church courts such as he thought no ecclesiastical body ought to be intrusted with—that it did not give that control in the appointment of ministers, which was the inherent principle of the Scotch ecclesiastical establishment, and which was the real meaning of the words that "no minister shall be intruded upon a parish." On these grounds he felt it to be his duty to move, as an amendment, that the bill be read a second time that day six months.

Lord *Brougham* said, that he was in hopes, when he very reluctantly yielded to his noble Friend who had just sat down, that his noble Friend would have superseded the necessity of his troubling their

Lordships with any observations at all. His reluctance to yield to his noble Friend had been relieved by the hope that his noble Friend would have argued the question against the noble Earl opposite who had introduced the measure for their Lordships' consideration. His noble Friend, however, he was sorry to say, had not enabled him to maintain that state of quiescence in which he would fain have indulged, and he regretted that he was compelled to give, as his noble Friend had not given, an answer to the able and lucid statement made by the noble Earl opposite in favour of his measure. His noble Friend behind him (the Earl of Roseberry) would forgive him if he immediately followed him, for though both opposed the bill, his noble Friend did not range on the same side of the battle as himself. If the noble Earl opposite gloried in the name of "Non-intrusionist," infinitely more than any was that name deserved by his noble Friend who had just sat down, who avowed at once that his wish had been to re-enact the veto. He could not have believed it, unless he had heard it from the noble Earl's own lips, that the noble Earl had been of opinion that no sooner was the Auchterarder case settled, upsetting the veto law, than they should have passed an act confirming or re-enacting that law, certainly, as the noble Earl said, with some modifications. His own opinion of these individuals—these misguided individuals—was, that if their Lordships were to agree with them in ninety-nine points out of a hundred, still disagreeing with them upon the hundredth, they would be as far as ever from an amicable adjustment; that the disappointed seceders would have waged war just as fiercely against them as if they had withheld all their demands; and that the case between them would thus become almost worse than if they had never made an attempt at conciliation; for so he believed it to be, upon a well-known principle in natural philosophy, that theological animosities, like material attraction, increased inversely as the squares of the distance. He was bound to say a word or two upon the decision of the House, (in which decision he had agreed) upon this question; but, first of all, he must observe, that he must express his acquiescence in the eulogium pronounced by the noble Earl opposite, and concurred in by his noble Friend behind him (the Earl of Rosebery), on the purity of the motives which, generally speaking, had prevailed with the seceding portion of the Scotch clergy. He would not say that all those men had acted from the purest and best motives. Amongst them some might have been actuated by an excess of zeal, not accompanied by equal charity, and he could not deny that some of them had shown a bad spirit in their mode of dealing with their adversaries and had used unchristian expressions such as those referred to by his noble Friend opposite (the Earl of Aberdeen); but he believed, with few exceptions, the bulk of those men, both of the clergy and among the laity who had seceded (and he was happy to say they were not very numerous) had acted and were acting upon the purest and most conscientious motives, and were making great and cruel sacrifices in deference to their opinions. But whilst he believed all this, he could not help casting his regards forward to some future time when the zeal of these leaders might have cooled, and that of their followers still more so, and he calculated the disappointed hopes which would then be rankling, and the universal dissidence which might then prevail throughout the whole religious community of Scotland; for it was in the very nature of all such fragments disrupted from a church establishment like a piece rent from a rock not to hang together, not to unite, but to crumble and separate still wider apart, bereft of all unity or sympathy of purpose. These things would come—the seceders would split and disunite, and then what miserable spectacles must they be prepared to witness! Conscientious men, deprived of the aid of an establishment, and supported no longer by the zeal and resources of their former followers, would be left upon the wide world, to wear out the remainder of their lives without the means of supporting themselves or their families. A few popular preachers might possibly continue to be supported by their congregations; but he knew enough of the hazards and dangers attendant upon an annual subscription, flowing from personal zeal, to calculate that these exceptions would not be many. Amid all these deplorable results, let him observe, he had no fear of the Presbyterian religion relaxing its hold on the minds of the people of Scotland. He had no fear, either for the Church itself. A great breach undoubtedly had been made in its outworks, but there was no more fear of the downfall of the Church than of Presbyterianism itself. But now with respect to the present measure, to which his noble Friend opposite (the Earl of Aberdeen) had called the attention of their Lordships so ably and so distinctly. The first observation he (Lord Brougham) had to make was, that if unhappily they were to make concessions, they would do so without any security for future peace. His noble Friend opposite himself stated, that this bill would not satisfy the non-intrusionists, and with all his noble Friend's attempts to make peace in the Church, he was just as much the object of bitter and virulent attacks as those who did not go one inch of the way with them. But then, his noble Friend opposite said that this measure would find favour with the Church, and his noble Friend had quoted a passage to show that the Church had itself adopted a measure somewhat of the same kind. No doubt; but did ever any person see any body of men assembled together, and carrying on their proceedings by meetings, by speeches, by votes, by intrigues, by adjournments, and all the incidents attendant upon such matters, when did ever any person see such a body dislike power? On the contrary, did they not covet power, and were they not gratified when power was placed in their hands? But it was said, that this was not a lay, but a spiritual body. When was it that a clerical body had furnished an exception to the rule which showed that all mankind loved power? On the contrary, that which was a feature in the character of the human race at large was peculiarly an eminent feature in the clergy, and the uniform course of clerical men in all countries was rather to love power than ease, peace, and profit, and one of the things they were the readiest to grasp and the slowest to quit hold of, was power connected with their spiritual functions. It was not then to be supposed that such a proposition as this would not find favour with them, when that proposition was the transference of patronage from lay patrons and the Crown to the Church courts, and this without any interference on the part of civil courts. Instead of the Church objecting to this bill, it was most likely that the Church would hail the appearance of it, and it was by no means improbable that it was such a bill as they themselves would have devised, or at least some one very like it, though they would be content to allow the perfect workmanship of the noble Earl to supersede their own, for it was one that beyond all others was calculated to gratify the Church party. If his noble Friend could succeed in passing this bill, he was sure it would give great gratification to the Church; but this he said, that if they took away the patronage from the lay patrons, he had much rather have the veto than this bill. He had rather give the patronage to laymen than to priests. His noble Friend had said that 240 persons had already seceded from the Church, and that this measure would prevent others from going away. Now, those who were ready to go must be persons who agreed in opinion with those who had already left the establishment, and therefore, they could not be satisfied with this bill. What was the non-intrusion principle? In a word, it was, that the congregation would have the veto on the patron's appointment—that the congregation should have the power of saying, "We won't have this man," without assigning a reason. That was the doctrine, and it was no part of the doctrine, that the Presbytery should have the veto. On the contrary, they contended that it was the people's right, and not the kirk's right, and that neither the Presbytery, nor the Crown, nor the patron, should intrude upon them, and therefore, why should they be pleased with this bill, which professed to take the power entirely out of the hands of the people? His noble Friend opposite had misstated and misunderstood his decision in the Auchterarder case, and that decision had been equally misunderstood by another noble Friend of his (whom he did not now see in his place), but who had comforted the General Assembly by saying, that the highest person in the realm approved of what they had been doing, in setting themselves up—he would not say in rebellion—but against the law of the land. This measure must rest upon the character of this body of men. It proposed to give the power to object to a presentee to every male communicant. Had the females of Scotland no souls? A woman was as good an objectrix—was as good (and he could speak from his little experience) at finding faults as any man, and though a woman might not be the best judge in her own case, she had a right to make an objection. But his noble Friend said, that if the Church courts exceeded their jurisdiction the civil courts would interfere. How could they interfere? By one of the clauses of the bill any objection of any kind might be made, so that the objection was in writing, and the Presbytery was to have the final cognizance of it. That was an objection *de omnibus rebus;* but there was another in which the *quibusdam aliis* were included, for it went on to say,

> "Or any reason to state against his settlement in the parish, or to his gifts or qualities for the cure of the parish."

He defied any man, or woman either, to make a stronger objection than this, that the individual had not sufficient gifts to be settled upon the parish. That included everything. It was impossible to make an enactment more general? The Presbytery, too, were desired, in taking cognizance of the matter, to have regard to the whole circumstances and condition of the parish. Could any jurisdiction be wider than this? They were to have regard to the spiritual welfare and edification of the people, and to the character and number of persons by whom the objection was urged. Therefore, the Presbytery were not only to regard the objection, but also the kind and number of persons by whom it was urged. This was the part of the veto the most objected to. What could exceed this power, and what was it the Church might not do? But then it was said that it was not to be supposed that these Church courts would do anything that was wrong. How long, he asked, was it that they had shown this calmness and forbearance, that they could with such safety calculate as to the future? Since the last election of the last General Assembly they had been in open and avowed resistance to the law. What security, he asked their Lordships, had they that some new schism might not arise—that some new difference might not get up in the Church—that some new act of illegality might not be committed, which might call down upon them some new reproof? He had a great respect for the General Assembly—for it was as much the General Assembly as if there had been no secession from their body—but, with all his respect for them, he could not help saying, that he had no security that there might not be a renewal in some years of those difficulties which had lately occurred; and this made him fearful of investing them with all those frightful powers which the bill proposed to give them. He had no security that there might not again be two or three years of violent opposition to the law. What had occurred justified him in entertaining great suspicion, not of their integrity, not of their loyalty, but of their sound discretion when heated by controversy, and above all things upon a subject in which much of religious division was mingled up with political dissension. When men were so heated he knew not the lengths to which they were capable of going, and therefore it was, that he could not approve of an act which proposed to invest them with such powers as were to be given by this bill. The Auchterarder decision could not possibly stand if the present bill was held to declare the law. There was to be a veto, not in the congregation, but in the Presbytery; that was to say, that if any one of the congregation objected, the Church courts were to decide. His noble Friend said, "Give the veto to the Church courts." [The Earl of *Aberdeen:* "With a reason."] With a reason! Could anything be more puerile? All that need be urged was, that the person presented did not edify the parish; and, in fact, any objection of any kind might be urged. On these grounds he held, that if the present bill were to be considered as truly declaring the law, their Lordships should not have decided the Auchterarder case as they did; but the bill did not correctly declare the law, and therefore his opinion remained unchanged, that the Auchterarder case has been properly decided.

The Earl of *Haddington* said, that if he understood correctly what had fallen from the noble and learned Lord, their Lordships were to understand, that if the Church had had the power, which the noble and learned Lord thought it did not possess (and for giving the Church which power the noble and learned Lord now complained of the present bill), the decision in the Auchterarder case would have been different from what it was. It was difficult for him to enter into a discussion on such a point with the noble and learned Lord, but he must be permitted to express the extreme astonishment with which he had heard the noble and learned Lord make that statement. The noble and learned Lord said, that if the Church had had the veto, the decision in the Auchterarder case would have been different, and the judgment of the court below would have been reversed; and then he went on to assume, that the present bill gave the veto to the Church. Now, let their Lordships recollect what the veto was. It was a power given to the people to negative the nomination by the patron without cause assigned—it was a power to say, "We will not have this man, and we will not tell you why." That was the veto. Did this bill give the Church any such power? If it did, he admitted that it might be matter of consideration, whether it might not as well be given to the people. The great evil of the veto was its excessive unreasonableness; it would have given arbitrary power to the people to reject, without cause assigned. Now, so far from the veto being adopted by the bill, as would seem to be implied by those who opposed it, one of the main principles of the measure was, that reasons should be assigned for any objections which might be made to any presentee: that those reasons should be heard and decided by the Presbytery, who, having adjudicated, were to put upon record the grounds of their decisions. The noble and learned Lord who last addressed them, in descanting on the bill, proved by his own showing that reasons for objection must be assigned. The noble and learned Lord said, that if the bill were to be taken to be the law of Scotland before the hearing of the Auchterarder case, the decision would have been different. He must, however, beg leave to differ from that opinion. The principle of the bill not only required general qualifications in the presentee, but also required a peculiar fitness for the particular parish to which he was to be presented. It required this to make certain of the idoneity of the presentee. The function of the presbytery, as contemplated by the bill, was to consider the circumstances in which the parish was placed, with a view to the spiritual welfare of the people, and, in the spirit of the sacred authority committed to them, to act in a judicial capacity between the people and the presentee, and to state on record the grounds for whatever decision they might come to. Care was expressly taken to negative the assumption of the Veto Act. If the objectors expressed merely dislike to a presentee, unless the ground of the objection were expressed, and there was good reason to doubt his qualification, the objection would not be attended to nor would it receive effect. It was perfectly wrong, therefore, to say that the bill of his noble Friend would give effect to the Veto Act. He believed, with his noble and learned Friend, that spiritual pride, which he did not wish to encourage, was very likely to be engendered by making the clergymen dependent on the people and obliging them to canvass the people for support. At the same time the Presbytery must have the power to judge. Such a power must be placed somewhere. In England it was placed in the bishops; but to suppose that the Presbytery would act wrongly was to suppose that all the Members would violate their solemn oaths. To the Presbytery it must be left to decide the question as to the doctrine, the literature, and the morals, of the presentee. But all these objections to the bill of his noble Friend should be made in the committee, where his noble Friend would be ready to listen to all reasonable suggestions, and be ready to adopt any means which would provide against the abuses which were apprehended, and listen patiently to any discussion of the clauses of the bill; but to reject the bill at that stage, because the power of the Presbytery was not sufficiently guarded would be the most mistaken, and, he believed, the most mischievous policy which their Lordships could pursue. One advantage of the proposed bill, and it was an advantage which ought not to be lost sight of, was, that it would make the patron circumspect in his presentation. It was always right, and always considered of the greatest advantage, to scrutinise the characters of those to whom the care of souls was intrusted. It was right that this should be strictly looked into in England, where the clergy had a liturgy, and when there might be a curate, it was still more necessary in a country, or any parish, where the people, having no liturgy, and no curate, were entirely dependent upon the teaching of the incumbent. The noble and learned Lord had said, that the bill would please nobody but he was of opinion, that it would give satisfaction in Scotland to all parties, except the seceders. Many of the non-intrusionists must feel pleased with a measure which prevented a clergyman from being obtruded on them to whom rational objection could be taken, while at the same time it did not permit arbitrary and untenable objections. It would be impossible, in legislating upon the subject, to throw out of view what had already taken place in Scotland, or to forget the excitement which prevailed in that country; and if at the instigation of the noble and learned Lords opposite, their Lordships should be induced to throw out the bill, and leave no power in the Presbytery to determine the qualification of persons presented, the secession would increase to a fearful extent, and he for his own part could conceive no greater misfortune, nor could he imagine any greater aggravation of the existing evils, than to adopt the views urged upon legal grounds by the noble and learned Lords opposite. He would admit, that many of those who seceded from the Church of Scotland had left it from conscientious principles, but he could have wished, that in doing so they had exhibited somewhat more of the charitable feeling which had been extended to them by the members of the Assembly. When he read in the organ of the seceders—and there was little doubt, that that organ was under the influence of the leaders of the party—when he read in that organ the furious and unchristian tirades which had been levelled against those who remained, he could not but feel the deepest regret to find that such language had been used. That organ stated, that every clergyman of the establishment was to be considered as the one excommunicated man of the parish—that he was not to be joined with in prayer—that he should not be visited, but that he should be put under the ban of the community. Such language under ordinary circumstances would be absurd, but from the ferocity of feeling which it exhibited, it was exceedingly bad, and calculated to create deep disgust. He did not mean to attribute to the body at large of the seceders a sympathy in such sentiments, but their promulgation was calculated to do as much mischief as if all had shared in them. From the state of excitement in which the country was placed, he felt convinced, that the only mode of restoring religious peace in Scotland would be by their Lordships affirming the second reading of this bill.

Lord *Cottenham* having had, whilst holding the place of his noble Friend upon the Woolsack, to investigate the whole of the history of the Church of Scotland with respect to the law of patronage, for the purpose of delivering judgment upon the Auchterarder case, felt that if the judgment pronounced in that case was a right one, the present bill was not in accordance with what he conceived to be the existing law of Scotland, and entertaining that view he could not agree to the second reading. The measure now before their Lordships assumed to be a declaratory bill, and not any new law for regulating the presentation of a Minister. What then did this declaratory bill declare the law of Scotland to be now, and heretofore to have been? It first declared, that it was competent to the presbytery to refuse the nomination of the presentee "for any reason whatever." Was not that, he would ask, tantamount to vesting them with an absolute power—not to propose, not to elect, but to put a veto on the appointment? Oh, but then it was said, that the presbytery could not veto the appointment without a reason assigned. It was to be remembered, however, that the presbytery were themselves to be the judges of the reasons assigned. It was said, that the reason must be offered and the objection stated by some one of the parishioners; but this was not at all necessary according to the proposed bill. Anybody might suggest a reason, or a reason might be suggested by the presbytery themselves. It was impossible to deny this; the result would be that the presbytery might reject the presentee for any reason, and the patron would, in this way, be deprived of his right of patronage and the presentee of his benefice. That was rather too extravagant a proposition to ask their Lordships to consent to, and he defied any one to show that such would not be the result of the present bill. It gave an absolute power to the presbytery to reject for any reason offered, and, in this respect, was liable to great objection. The noble Earl opposite had referred to some of the grounds upon which the judges of the Court of Session had given the decision in the Auchterarder case, and particularly to the meaning which had been attached by them to the words "qualified person." Lord Medwin adopted the definition given by Balfour, namely, that the presentee must be of sufficient literature, honest life, and good manners, and in looking over the opinions of the other judges he found that those of the majority, consisting of the Lord President, Lords Gillies, Meadowbank, M'Kenzie, the Lord Justice Clerk, and Lords Corehouse and Cunninghame, were all opposed to the view taken of this point by the noble Earl opposite. But when he came to the opinions of the minority, he found that they were of opinion that this power existed in the presbytery, and that the presbytery had a right to delegate this power to the parishioners. The minority of the judges therefore adopted the doctrine of the noble Earl, and one of the minority, Lord Jeffrey, expressed it as his opinion, that not only had the presbytery the large power claimed for them, but that the Church had even still larger powers. The right of the patron was founded on the act of Anne, according to which he was bound to present a qualified minister, and the presbytery were obliged to admit such qualified person. That act was the latest act on the subject, and there was no arguing against it. All that they had to do with that act before them, was to inquire what meaning the law of Scotland attached to the words "qualified person." He would refer to the earliest and the latest writers during the last three centuries, and he thought he could show that there could be no doubt of the meaning of those words. From the time when Popery was overturned, to the period when Presbyterianism was established in Scotland, those words had been used and recognised in all the acts of Parliament relating to this question. They were not found in the act of Anne for the first time. The first act on the subject, that of 1567, used the same terms as that of 1711. According to the act of 1567, the patron was to present a qualified person to his—that is, the patron's—understanding; and it provided, that in case the superintendent should refuse admission to such qualified person, the patron might appeal to the General Assembly. By that of 1592 presentations were to be directed to the presbytery, who were bound and adstricted to receive and admit the "qualified person" presented by the Crown or by lay patrons. He could not, then, suppose that the presbytery were possessed of a power to reject such a presentee for any reason. That act also provided, that when the presbytery refused to admit the presentee, the patron might retain in his own hands the fruits of the benefice. The first Book of Discipline declared that the congregation should be compelled to receive the presentee, provided he were unobjectionable in life, literature, and of honest measures. Balfour defined a qualified person to be a habile person, sufficient in literature, and honest in life and manners. The second Book of Discipline and Bankton, were also in favour of the view which he had taken of what constituted a qualified person. In 1635, a case was decided by the Court of Session, in which the presbytery had refused to admit a presentee against whom no legal objection existed, and in which their conduct in refusing such a presentee was declared to be unlawful, and the patron was ordered to retain the stipend. In this case the presbytery rejected the presentation on the ground that the presentee was not suitable, but the court found that it was not a sufficient reason for rejecting him. For any power similar to that which the noble Earl claimed for presbyteries, they must look to the period of the Usurpation. An act of assembly of 1649, declared that where a majority of the congregation did not approve of the minister a new election must take place, but where only a minority dissented, then the presbytery were bound to go to a trial. Upon the Restoration this act and all similar acts, were abolished and patronage restored. By the act of 1690, the heritors and elders were to propose a person to the congregation, and if they disapproved of such person, reasons were to be given in to the presbytery, who were to judge of those reasons and to conclude the matter. This was almost the same mode of proceeding as that proposed in the present bill. If the presbytery were to have the ultimate power of rejecting, it was immaterial in his opinion whether the reasons came from individuals, or from the congregation at large. The presbytery having the whole power within themselves, might chance to give just as much weight to a bad reason as to a good one. The noble Earl had referred to the opinion of Lord Corehouse in support of his views; but, on turning to the judgment of Lord Corehouse, he found that Lord Corehouse stated that, because the patron had acquiesced in certain limitations, the expediency of which he did not dispute, it did not follow that he was bound to submit to a condition which would be altogether destructive of his right. The act of Anne gave the patron a right to present a qualified person, and all the writers told them, that the meaning of the words "qualified person" was a person qualified in life, literature, and manners. He admitted, that they were not to be tied down literally to these words. The noble Earl comes down to the House and asks you to declare, that such was the law in relation to the Church of Scotland, when the twelve judges who pronounced judgment on this subject declared that it was not the law. The presbytery never had any such power referred to in the bill. They have always been baffled and defeated in their attempts to obtain such power. Ever since the origin of the Church of Scotland, they have not had such a power of declaring the presentee unqualified. The noble Earl came forward with his bill, and wished them to declare that such was the case. It was a strong measure which called upon their Lordships to say that they had been in the wrong, and that the judges had also been in the wrong. The noble Earl's bill was not introduced for the purpose of reversing this judgment of the law of the case. No; that was not his intention. He did not thinks, if their Lordships paid attention to the bill, that they could support it. The course adopted by the noble Earl was quite unnecessary. What was intrusion? It was forcing a minister upon a parish which objected to his appointment; whether that person so forced was appointed by the presbytery or the patron, it was intrusion. It was the same in either case. He had no doubt that the power of objection on the part of the parishioners to the nomination of certain ministers, operated very advantageously to the interests of the Church establishment. It operated against the introduction of erroneous opinions into the Church. No great change could take place without coming to the knowledge of the laity as well as the Church. Should the party nominated entertain what might be considered unsound opinions, such persons could be objected to, and, of course, would not be appointed. The law had worked well in Scotland. No church had better performed its various important duties than the Church of Scotland for the long period of 300 years. He would admit with the noble Earl, that the powers referred to in the bill never were possessed by the people of Scotland. They had been struggling for it, but had never attained it. Such had been the case from the period of the usurpation. What then did the noble Earl propose to alter? Great excitement had no doubt prevailed in Scotland on the subject. Both the Church and the people had been most anxious for a change. He would ask how would the bill of the noble Earl allay that excitement? The Church of Scotland objected to the power possessed by certain parties of forcing ministers on parishes who were objectionable to the majority; and they came to Parliament and asked for relief. And what was proposed? They intended to take the patronage away from the lay patrons, and transfer it to the Church itself. That was the measure of relief. He would tell the noble Earl that what he contemplated doing by his bill, the Church of Scotland had been struggling for since 1789. In that year, the General Assembly proposed the adoption of a scheme similar to that of the noble Earl. What the noble Lord proposed to be was not asked for by any body. The noble Earl who last addressed the House stated, that a great portion of the General Assembly did not wish to have any such power given to them. In 1840, the noble Earl brought forward a similar plan. The General Assembly rejected it altogether. The majority of the General Assembly disapproved of it. If a great portion of the General Assembly objected to the measure, why was it proposed? What purpose had the noble Earl in view in submitting such a bill for the adoption of the House? The noble Earl stated, that there were a number of ministers now in the Church of Scotland who wished to secede, and the object of his measure was to stop, to catch these disaffected persons, to keep them in the Church. But if such was the object of the noble Earl, why did he not bring forward such a measure before? Why did he permit the secession to take place? They who had left the Church, could not by the noble Earl's bill be brought back into the establishment again. Therefore, as far as those ministers were concerned, the noble Earl's bill would be perfectly useless. When the Veto Act passed, it contained a provision to the effect, that in certain cases if the Veto Act should not be complied with, the appointment should be transferred to the presbytery. He thought that after the decision of that House, the General Assembly would not be disposed to retain that provision of the Veto Act. He considered that those who had left the Church were entitled to the approbation of their Lordships for the sincerity which they had manifested. He would direct the attention of the noble Earl to the acts of the General Assembly. The General Assembly, it was evident, did not consider an Act of Parliament binding upon them. They looked upon acts of Parliament in a light different to that of other persons. They thought that the General Assembly possessed powers co-ordinate and co-extensive with Parliament itself. Such was not only the case with regard to patronage. The General Assembly treated acts of Parliament generally with great contempt. When the Veto Act passed, the General Assembled considered that they had such authority, and they also thought that they possessed the power to pass any other law in opposition to any act of Parliament. He would ask the noble Earl, as a Minister of the Crown, whether he would consent to part with all the patronage of the Crown in regard to the Church of Scotland. The noble Earl was clearly interfering with the patronage of the Crown, as well as with the patronages of all the lay patrons of Scotland. He trusted that their Lordships would resist so strong a measure as that proposed by the noble Earl, and give it their determined opposition.

The *Lord Chancellor* was desirous of addressing a few words to their Lordships on the subject of the bill under the consideration of the House. He trusted that their Lordships would consent to allow the bill to be read a second time. After having paid much attention to that subject, and to the present condition of Scotland, it was his opinion, that in order to allay the excitement and irritation which existed in that country, the bill which his noble Friend had introduced would be extremely useful. Noble Lords who might object to some of the details of the measure would have an opportunity afforded them of doing so when the bill went into committee. He felt quite convinced, that when the bill was so discussed, most of the objections which had been urged to the measure would be removed. The objections which had been urged against the bill had been advanced on the assumption that the objections which were raised to the appointment of a particular person would be made the basis of the decision of the court. He admitted that any person might make an objection to the presentee. The whole of the argument of the noble Lord arose out of the clause which related to the objections which might be urged to the presentee. It had been said in course of the debate how absurd it was to give the parties the power of making such an objection. How absurd that such objection should afterwards be made the ground of the decision of the court, or that the decision should be in conformity with the objection. There was nothing more foreign from the intention of the bill than that. He admitted that objections of any kind might be made to a presentee; but when they came to the consideration of those objections, he affirmed that the presbytery could decide on none that did not affect his personal character, or that did not go to impugn his ministerial qualifications in respect of the particular parish to which he was presented. No objection, in fact, was available, unless it was an objection to the presentee's "gifts and qualities," either generally, or else with reference to a particular parish; and if the noble and learned Lord would refer to the appeal clause, he would find, that the objections must be repelled, unless they were to such effect. The question was, then, was this bill any alteration of the law of Scotland? He contended, that with these limitations and restrictions, it most decidedly was not, and the whole of the argument of the noble and learned Lord, which went to prove the converse, was, in fact, founded on a false construction of the different clauses of the enactment. That noble and learned Lord said the qualification was with a view to instruction. Now, the noble and learned Lord could not show a single Act of Parliament which had so defined it, and he was obliged to go back to authorities anterior to the Reformation, when the whole frame of the system was swept away. He had not had the advantage of attending the Auchterarder case, and therefore it was with much deference he referred to that part of the subject; but it was unnecessary for him to go into it, because, as the noble Earl had well said, at an earlier period of the evening, the question was not in any way a question as to the definition of a qualification. The people refused to take a Minister on trial, and the question simply was, were they right or wrong? The question of qualification could only have come in incidentally. He did not say that noble and learned Lords were wrong in their interpretation of it, but he did say that the House had formed no judgment on the point. But if not from the House of Lords, from what tribunal were they to draw their decision upon this question? Now, he unhesitatingly said, that they would do well upon such a matter as this, to look to the opinion of the judges on the spot, who had given the case their consideration, and who had pronounced a decision. And the noble and learned Lord would no doubt be astonished to find, that in contradistinction to all he had asserted, most, if not all, the Scottish judges, were opposed to his views. Let him take the late Lord President. He had it from the best authority, that the late Lord President had declared the former bill of his noble and learned Friend—[The Earl of *Aberdeen:* No, no, not learned.] Learned, at least, I am sure, I may say, upon this subject. He said he had it from the best authority, that the late Lord President had declared the former bill to be in entire conformity with the law of Scotland, to correspond with it, as he said he believed, in principle, and to be, in fact, only an enunciation of the established laws of that country. Then what said Lord Corehouse? Why, he would only refer to the papers on the Table to show his opinion, or, if it were necessary to go further, he might quote his judgment delivered in the Auchterarder case, upon which he distinctly laid it down that the jurisdiction was not confined to the consideration of the life, literature, and manners of the presentee. And let him take some of Lord Corehouse's illustrations. Among other things, he remembered that he said:—

> "One man may have a weak voice, and may be incompetent to preside over a large parish, although he may be a most competent and able minister."

Again,

> "Another person (he said) may be a man of refined manners, who would not be at all adapted for the ploughmen of East Lothian, whilst another might be a man of rough manners, anything but adapted to the refined audiences of Glasgow and of Edinburgh."

Then the noble and learned Lord had referred to the opinion of the Dean of Faculty. Now, that was surely a most unfortunate and extraordinary reference; for he had seen letters from that functionary stating what were his opinions on the subject; and those opinions were entirely conformable to the principle of the noble Earl's bill. Then, Lord Medwin; that was another extraordinary reference, showing how grossly the noble and learned Lord had been misled. Then, another learned judge. There was a case only lately decided on which he had given his opinion; it was the case of a Shetland parish, consisting of islands, and of a part of the mainland intersected by bogs. The qualifications of the presentee for that parish had been objected to, and the case had come before the superior courts. The Lord Justice Clerk had decided, that the Presbytery had a right to judge whether the minister was fit and suitable for that parish. Now, when he found these authorities all ranged on one side, and when he found only one judge opposed to them—Lord Cunninghame, a judge of great learning and ability—he admitted, when, he said, he found all these great authorities, with one solitary exception, on one side, he must say, that he was satisfied that the learned judges of Scotland were of opinion that the presbyteries had even more extensive powers than was generally supposed—that they had the power, not only of deciding on the "life, literature, and doctrine" of the presentee, but that they also had a right to decide on his suitableness for the particular parish to which he was presented. But it was said, that this was the chief objection to the bill, that the measure went to give an extraordinary power to the presbyteries—the power of deciding without appeal. That he (the Lord Chancellor) most positively denied, and further, he would declare that the assertion was made on an entirely false construction of the bill. The House would in one moment see that this was the case when he stated, that under the clauses the presbyteries were limited to the consideration of objections respecting the ministerial gifts and qualities of the presentee, that they were obliged to state in writing any objections to him entertained upon any other grounds, and that at any time the civil courts could interfere and arrest an excess of authority. This was the main objection to the bill, and he trusted that after his explanation, which their Lordships could in a moment understand, that objection would entirely vanish. For his part, he founded his judgment upon this bill on the impression that it was no innovation on the established law—that it was not in contradiction of any decision of that House, and that, therefore, there was good foundation for legislating in a matter of this kind. If the bill was only attended with a small part of the advantage those best informed taught him to expect from it, there would be sufficient to induce him to implore their Lordships to give it a second reading. With respect to its details, he admitted that the wording of the measure was somewhat loose, too general, and too comprehensive. Those errors must and should be corrected, but the principle of the measure being good, he felt it a duty at once to call upon their Lordships to read the bill a second time that evening.

Lord *Campbell* observed, that the noble Lord on the woolsack appeared to have received some sudden illumination with respect to this subject. On a former occasion he had expressed his entire and decided approbation of the judgment in the Auchterarder case, and not only of the judgment, but of the reasons upon which it was founded. Those reasons were, that the Church was in reality possessed of no such power as the noble and learned Lord now found it had owned and exercised from time immemorial, and that if it had such power it might have enacted the veto law, which if so enacted would not have been beyond, but within, the powers of the Church; but the noble Lord on the Woolsack, after the powerful and convincing speech of his noble Friend (Lord Cottenham), had felt it necessary to summon up his courage, and come to the rescue of the noble Earl by declaring his opinion that this bill was properly a declaratory bill, and that the Church of Scotland had from time immemorial enjoyed all that he now declared she had a right to. He never remembered an instance in which in the ardour of debate the expedient had so entirely prevailed over the just, and he could not but express his amazement at the noble Lord's singular change of opinion. With respect to the measure itself, he found himself under the necessity of voting against the amendment, in order that he might not at once reject the bill. He was of opinion that the time was come when it would be desirable and expedient to legislate upon this question. Hitherto he thought the Government had taken a wise and judicious course in refraining from introducing any act of legislation, for certainly such legislation could scarcely have been effectual, and might have proved very dangerous. Now, however, the Church of Scotland had assumed such a different aspect, that he could not but think it right that some legislative measure should be adopted. It was necessary, he thought, for the credit of the Church as she now existed to give some confidence to her communicants—to sustain the reputation of her establishment, and to do this by some measure of legislation. But to this bill, in its present shape, although he should support it in this stage, he certainly could not assent; and unless it was materially altered he must decidedly oppose it on a future occasion. With respect to one point connected with it, he could not but express the most unfeigned surprise. He was astonished that the noble Earl—whose honest intention no one could doubt—should, without a single useful object that he could discover, persist in making this a declaratory instead of an enacting bill. Good God why should it be declaratory? The noble Earl was powerful enough in that House, and the Government to which he belonged had surely sufficient influence in the other, to have this measure passed in any way they might propose. Last Session, when the Irish Marriages Bill was introduced, he had begged and prayed that it might be a declaratory bill, but the noble Lord on the Woolsack had insisted that it should be an enacting measure. Why should there be a distinction with regard to this bill? If the noble Lord looked to the Church and to the good of the people of Scotland, he could not but find that all his purposes would be answered by making the bill an enacting bill. As a declaratory bill, in fact, it should have his strenuous opposition, for he did not believe that it was, or could be made, declaratory of what was the law of Scotland respecting presentations as it now existed. This bill, as it at present stood, assumed that the Church possessed a certain power. If so, how, let him ask, had that power been acquired? It could only have been acquired by act of Parliament; and would the noble Earl tell them, if he could, by what Act of Parliament that power had been conferred? It was a power, they must remember, which had not belonged to the Church of Rome, or to any other church; and how, he should like to know, did it come to the Church of Scotland? The fact was that there was no statute giving such power, and there was only one which gave the power of examining presentees respecting qualifications.

The *Lord Chancellor*: The words are these,—

> "And if the court shall be of opinion that the objections and reasons stated are not duly founded in any objections personal to the presentee, in regard to his ministerial gifts and qualities, whether in general or in reference to that particular parish, the court shall repel the same."

Lord *Campbell*: There must be some error. Because if any person is presented who, in the opinion of the Presbytery, has anything that renders him unfit, they may reject him. The patronage of the Church was completely transferred from the patrons to the church; and how did the system work? The patron presented a clerk, and any one might make an objection. A man might be objected to for having fair hair or dark hair. Yes, even such things as those might be cognosced, and thereupon the Presbytery had only to say, "We repel the presentation." A presentee might be objected to on the ground that his name was M'Leod. The noble Earl had admitted that any objection might be made. The noble Earl was getting diplomatic, and shook his head. But the objection to a name might be made under the bill, and the Presbytery if they chose to give it effect, would be fully justified in doing so. By the two Acts of Parliament applicable to the subject it was enacted, that the lay patron should present and the presbytery admit. But would not the presentee be disqualified if it were proved that his name was M'Donald or M'Leod? Was this bill then a declaratory measure? The noble Earl said this bill did not alter the law of the land. But it would be difficult to show that, and to reconcile the differences between the noble and learned Lord on the Woolsack and the noble Earl. Indeed, they could not reconcile their differences without one or both of them making some sacrifice. He objected then to the bill, because it was a declaratory bill; and, secondly, because it transferred all the powers of patronage to the Church, giving it a power which no church ought to possess, a power that would be abused, a power which held out temptations to abuses, and a power for which there was no example and no parallel. Where was the necessity for this measure? It would do no good to those who had left the church, for they had left it never to return; nor would it be any boon, if the noble Earl's description of it were correct, to those who remained in the Church. If the bill were carried on he should most undoubtedly propose that the word "declare" be struck out; and if amendments were not introduced so as to give civil courts cognizance of the grounds of objection, he should oppose the further progress and third reading of the bill, because it seemed to him to be advisable that the civil courts should have cognizance of the grounds of objection, as in England. The civil courts ought to be allowed to see that the objections were spiritual and canonical; without that the Church would be tyrannical. The noble Earl seemed to wish that the whole establishment of the Church should be subverted, than the claims of the other party should be admitted. He thought it would be better the Church should be subverted than invested with powers that would prove injurious to that establishment and most mischievous to the public. With regard to the clauses touching the veto law, he thought they would be wholly harmless, for the bill said that no objection should be acted upon without a reason. What did that mean? He might say he did not like the qualifications of a presentee, and there would be a reason as well as an objection. He should vote for the second reading of the bill, as he found that his noble and learned Friend meant to introduce an amendment to strike out the word "declare" and he hoped his noble and learned Friend would introduce a clause expressly limiting the power of the presbytery to spiritual and canonical grounds of objection. Then, if his noble and learned Friend would do so, the bill would be a very different one, and he should not oppose it; but in its present shape he certainly should on a subsequent stage offer it his firm opposition.

The Earl of *Aberdeen*, in reply, explained that in Scotland ordination took place at the time of induction, which was not the case in England. With regard to the veto, he apprehended that was a dissent without a reason. If objections were made, and reasons assigned, then the presbytery must judge of them, so that they might pronounce upon the fitness of the presentee for the particular parish. If they repelled the same improperly, undoubtedly it would admit of action in a civil court, upon an application from the patron or presentee. He did not presume to oppose the noble and learned Lord upon points of law; all he could say was, that the bill had been submitted to the proper authorities, and that it was revised by the Lord President, and therefore he must still presume to think that it was consistent with the present law of Scotland. The noble and learned Lord had said that those in the Church did not desire it, and he was at a loss to understand what boon it would be. If any of them had expressed indifference to the bill, it was because they believed that they possessed all the powers which it professed to give them. He was prepared for the opposition of those who might think it an unwarrantable interference with the powers they believed they possessed. But to show the noble and learned Lord how similar their powers were, he would just read an extract from the "Regulations for the Admission of Ministers;"—

> "If the objections stated affect the moral character of the doctrine of the presentee, so that if they were established he would be deprived of his licence, or of his situation in the Church, the objectors shall proceed by libel, and the Presbytery shall take the steps usual in such cases. If the objections relate merely to the insufficiency or unfitness of the presented

for the particular charge to which he has been appointed, the objectors shall not be required to become libellers, but shall simply deliver in writing the specific grounds for objecting to the settlement, and shall have full liberty to substantiate the same; and the presentee shall have opportunity of being fully heard in reference to all objections that may be stated against him. The Presbytery shall then consider these grounds, and if it shall appear that the opposition originates in causeless prejudices, no adequate reason having been adduced for it, they shall proceed to the settlement of the presentee, according to the rules of the Church; but if the Presbytery shall be satisfied that the projector or objectors have established that the presentee is not fitted usefully and efficiently to discharge the pastoral duties in that parish, then they shall find that he is not qualified, and shall intimate the same to the patron, that he may forthwith present another person, it being always in the power of the different parties to appeal from the sentence pronounced by the Presbytery if they shall see cause."

It was quite clear that the term "qualification" must be defined rather by the practice of the Church than by technicalities; and according to the "regulations" it would comprise all objections which would render a man unfitted and unsuitable for a particular parish. Although the noble and learned Lord thought the bill would transfer the patronage to the Church, he thought the reverse, and he had received no thanks for it from the violent party in the Church. He had no objection, however, to make the bill as perfect as possible, with the assistance of the noble and learned Lord, and other noble Members of that House, so that it might have the effect of tranquillizing the Church. His object was to frame the established Church of Scotland in obedience to the law, and to satisfy the people that their right to object would be admitted. What the people desired was full liberty to state whatever they thought proper, with the conviction that their objections would be fully weighed and examined. If they were, in addition to the monstrous doctrines which the seceders had separated upon, to add to the inducement to secession that the people were to be confined to object merely to life, literature, and morals, they would disestablish the whole Church of Scotland. If they refused to admit that which every individual of the Scotch Church maintained to be indispensable, they would really disestablish the Church. It was, therefore, with this serious conviction on his mind that he was anxious that this bill should proceed. He should be happy to receive any suggestions from the noble and learned Lord on the woolsack with all the respect which was due to them.

The Earl of *Minto* could not vote for the second reading without stating that the only ground on which he could allow the bill to pass through this stage without a negative was the hope held out by the noble Earl on the other side of the House, and by the noble and learned Lord on the woolsack, that the bill in a future stage would be rendered less objectionable than now.

Bill read a second time.

The House adjourned at twenty minutes past eleven o'clock.

HOUSE OF COMMONS,

Tuesday, June 13, 1843.

MINUTES.] BILLS. *Public.*—1^{o}· Chelsea Hospital.

Committed.—Copyhold and Customary Tenure.

Reported. — Roman Catholic Oaths (Ireland); Assessed Taxes.

Private.—1^{o}· Neath Harbour.

Reported.—Deptford Poor and Improvement; Tay Ferries; Edinburgh Water Works; Bolton Water Works; Great North of England Railway; Sutherland Roads; Lagan Navigation.

3^{a}· and passed:—Leamington Priors Improvement; Aberdeen Harbour; Hawkins's Estate; Bardney Drainage; Paisley Municipal Affairs.

PETITIONS PRESENTED. By Messrs. Evans, Tuffnell, Morison, R. Currie, Brotherton, James, Gisborne, Astell, Lawson, Plumptre, and Legh, and Lord R. Grosvenor, from a great number of places, against, and by Mr. Astell, from Clapham (Bedfordshire), and Ampthill, in favour of the Factories Bill.—By Mr. Morison, from Forres, Settle, and Fortrose, for carrying out Rowland Hill's Plan of Post-Office Reform. — By Colonel Baillie, from Southampton, and several Individuals, in favour of the Coroners Bill. — By Colonel Conolly, from Donegal, against the Spirit Duties.—By Mr. Plumptre, from eleven places, against any further Grant to Maynooth College; and against the system of National Education.—By Messrs. Hawes, Hindley, and M. Gibson, from Lambeth, Manchester, Hulme, and other places, for the Total and Immediate Repeal of all Corn and Provision Laws.—By Sir E. Knatchbull from Kent, for Protection to the Agricultural Interest.—From the Trustees of the several roads near Leeds, and other Places, against the Turnpike Roads Bill. — From a Manchester Association, against the Nuisance of Smoke from Factories.—From the Metropolitan Improvement Society, in favour of the Health of Towns Bill; and against the Practice of Interment in Cities.—From South Shields, for the Repeal of the Income-tax.—From Llanfechain, for the Repeal of the Emancipation Act.—From Manchester, Devonport, and Stonehouse, in favour of the Scientific Societies Bill.—From Inishowen Union, against the Irish Poor-law.—From the Clergy of Warwick, against Lay Baptism.—From South Shields for Amending the Law relating to the Merchant Seamen's Fund.—From Inhabitants of Bulwell, in favour of the Repeal of the Union (Ireland).

INTERMENT IN THE METROPOLIS.] Lord *R. Grosvenor* wished to ask the right hon. Gentleman the Secretary for the Home Department whether it was the intention of Government to take any steps for the abolition of interments in the metropolis, and in what manner they meant to proceed with respect to the bill of the hon. Member for Lymington.

Sir *J. Graham* was bound to say, that after having given his best attention to the bill of the hon. Member for Lymington, he was not prepared to give the measure his support. He must also say that the subject to which the noble Lord had called his attention was one of very great importance, and one of extreme delicacy and danger. He was not satisfied that the practice of interment within the metropolis was inconsistent with the health of the inhabitants—that fact was by no means demonstrated. It was much to be desired that in providing a remedy due regard might be had to the feelings of the inhabitants of the metropolis, and that none should be adopted which was inconsistent with the interests of the poorer classes of society. A very elaborate report had been prepared on the subject, which he hoped in a short time to lay on the Table of the House, but he could not hold out the hope that Government could introduce any measure during the present Session.

CORN-LAWS.] Lord *J. Russell* spoke as follows: Sir, I rise for the purpose of asking the House to go into a committee of the whole House, in order to consider the present laws relating to the importation of foreign grain. In making this proposal, I do not feel that I shall be at all liable to any charge of unsettling that which is settled and established. I think there is no class in the country which feels satisfied with the present condition of our legislation on this subject. We all know that the great majority of the manufacturers ask for a change in our system; that they ask either for the total abolition of all duties, or for the imposition of a fixed duty on the importation of corn. With respect to the commercial interests, they likewise wish for an alteration of the present system, and they, I should say, are more generally of opinion, that a fixed duty ought to be substituted for the present system. With respect to the agricultural portion of the community, we have just had a convincing proof that that class of the people are not satisfied with the present condition of things. The right hon. Gentleman the Member for Kent has lately attended a meeting at Pennenden Heath, in consequence of which he presented a petition, and, as I understand, it appeared to be the prevailing sentiments of the farmers assembled there, that they should have more protection than is now afforded them by law. They assembled there, as it appears, regardless of the inclemency of the season, provided they could be preserved from the inclemency of your legislation; they were ready to forego shelter in a stormy day, in order that they might obtain additional protection. The right hon. Gentleman says that the meeting was not very numerously attended; that certainly was a fortunate circumstance, because, with the doctrines we have lately heard, the right hon. Gentleman might have incurred, had the number assembled been very great, the deprivation of his commission as a magistrate. Most fortunate, therefore, was it for the right hon. Gentleman and his hon. Colleagues, that the paucity of the numbers attending this meeting, and the severity of the season, brought it within the compass of a legal attendance at a legal meeting; but with respect to the satisfaction entertained by his constituents, we have it clearly proved that such satisfaction does not exist; that, on the contrary, the complaints are loud of the present state of affairs. There is a petition on the Table, presented by the right hon. Baronet from the owners and occupiers of land in certain parishes in the eastern division of Kent. They state, that—

> "They view with the utmost alarm and anxiety the present position of the classes engaged in, and connected with agriculture."

Showing thereby, that the present state of affairs gives satisfaction to no one class of this community. Sir, in proposing to consider any alteration of this system, the first body to whose objections I shall address myself will be that body, a portion of which the right hon. Gentleman represents, namely, the agricultural class of this country. The next objections to which I shall address myself are those which I presume will be offered by the Ministers of the Crown to any alteration of the system which they have established; and, in the last place, I shall make some observations upon the question whether free-trade is to be understood as going to the extreme of the abolition of all duties, as proposed by the Anti-Corn-law League, and those who are their supporters within these walls. Sir, in viewing the first of these classes, I observe they say in this petition, that—

> "Under the pressure of taxation, and of the local charges to which the land is exclusively liable, the home producer has a constitutional claim to look to the Legislature for ample protection against the otherwise ruinous competition of untaxed foreign capital and labour."

They therefore pray that the protection of this House may be extended to them. Now, Sir, so far as this proposal embraces a protection on account of the general taxation of the country, I think that the proposition cannot be reasonably supported. I think it has been demonstrated repeatedly by writers upon political economy, that so far as general taxation is concerned, no one class has a right to ask for protection on account of that general taxation; and to support these views and reasons, into which I will not now enter, the general condition of our export trade is a sufficient confirmation. For if every class required protection against general taxation, how is it that 36,000,000*l.* of our exports find a market in foreign countries, and meet there with the produce of nations subject to less taxation than our own. Therefore, Sir, so far as that proposition is concerned, I think the petitioners are entirely in error, and that those who, in support of the agricultural interest, ask for protection on that ground, entirely fail in their attempt to establish their claims. Another ground is one of a more general nature, which has still a great hold on the country, especially on the farmers, who, I believe, are continually told by those who profess to represent them, that native industry ought, in all cases, and under all circumstances, to have protection. Sir, I hold this to be an entire fallacy, and that no protection ought to be given on that ground; the general rule of legislation on this subject being to leave every class free to exercise their industry as they think best, and to rely on the skill of our artisans, which is still paramount, for their ability to compete with those of other nations. Sir, I mention these great fallacies, as I think them, because, although they are seldom produced in this House—although there is hardly a party which we can say acts upon them—they have still a very great hold, and the representatives of the agricultural interest, wherever they meet their constituents, seem to me always to admit those propositions, and to profess to act upon them, although their conduct in this House in support of the agriculturists, is founded on totally opposite principles. Sir, there is another ground upon which the agricultural interest will be averse to entertain propositions for what they will think a diminished protection, founded upon what they consider the consequences of the tariff of last year. I observe, that in one of the late meetings, a farmer, whose indignation inspired him with metaphor, said—

> "You need not expect me to go further in the way of free-trade. You might as well expect a man who has taken one pill, and been much the worse for it, to take a whole box of pills."

If that were the case, I think there would be some reason in the aversion of the farmers to any further advance; but although the Ministers do sometimes claim very great credit with one portion of the country for the reduction in the price of agricultural produce which has taken place, I do not think that the measures of last year have had that effect. I cannot think there has been anything in the measures of last year which can be said to have produced that injury to the agricultural interest which is often complained of by them. That they have produced any real injury to agricultural interests I positively deny. For example, there was a great change made as to the import of cattle, but has the importation been so extensive as to injure the breeders of this country? Why, the whole amount would not supply a single day's consumption for the country, or a week's for any considerable town. Butter and cheese were also articles supposed to have been affected by the tariff; but with respect to them there was actually no alteration in the duty, and their import has decreased during the last year. In the year ending the 5th of January, 1842, the number of cwts. of foreign butter imported was 248,000; in the year ending the 5th of January, 1843, it was 178,000. Of cheese, there was imported in 1842, 248,000 cwts.; in 1843 it was 180,000 —thus showing a very considerable reduction in foreign importation. Under these circumstances, I may fairl conclude that the tariff has not injuriously affected the agricultural interests. I have, however, no difficulty in finding the cause of the diminished importation which the figures I have quoted indicate, in the diminished means of consumption among the industrious classes, a fact which proves that the best protection that can be given to agriculture is to promote manufacturing industry. The tariff, then, although totally guiltless of the harm imputed to it, is still, in my opinion open to the objection I urged against it last year. I objected then that the right hon. Gentleman the First Lord of the Treasury, instead of proposing a reduction of the duty on sugar, proposed one on colonial timber. There were no complaints then against the timber duties, and there was a very considerable importation, while both the trade and consumer were satisfied. With regard to sugar, there had been great complaints, and many reasons were given for alteration; but the right hon. Gentleman, for reasons which even now I cannot explain, left the sugar duties untouched, and made great alterations in the duty on timber, which alterations, from all I can hear, have produced great derangement in the trade, without any corresponding benefit to the consumer. Looking to the Excise, I find that in two articles which an increased consumption of timber would be likely to affect, namely, bricks and glass, there has been a considerable reduction in the amount of duty levied. In 1841 the duty on bricks amounted to 524,000*l.*, while in 1842 it was only 300,000*l.* On glass the duty in 1841 amounted to 966,000*l.*, and in 1842 to 766,000*l.*, making a falling-off of 200,000*l.* It should be recollected, too, that there are articles, the consumption of which has always been held as indicators of the means of consumption in the country. I have stated these facts to show that the outcry raised by the farmers against the tariff is unjust. I now come to the question on which they make the most complaint, and in which they most object to any change, namely, the duty on foreign corn. The Corn-law has now been in operation since 1815, when it was expected that it would maintain the price of corn at 80*s.* the quarter. In 1828, 66*s.* was fixed by Lord Liverpool. I shall not now enter into any controversy as to the statements of the right hon. Gentleman last year, I am only dealing with the agricultural body. And I say that to them we should not for the future hold out the expectation that by law we can fix the price of corn. I say it is not in the nature of things that you should be able to fix the price. With respect to manufactures, restrictions imposed for their benefit have the effect intended—you may fix the price, but any attempt of the kind with respect to corn must fail, as it being an article of universal consumption, any interference with it for the purpose of enhancing the price must injure the whole community. Now, with respect to securing a certain price for corn, there is this difference—although with articles of luxury, such as silk, rise of price may diminish consumption, yet you do not hear much complaint; whereas any rise in the price of corn is universally felt and complained of. What I have hitherto said has been directed to those who are not satisfied with the present protection, and who maintain that there ought to be an increased protection; or who, at all events, in despair say—"do not go further in the direction of free-trade." I now come to consider the plan of the present law, and the scheme which the present Ministers have laid down. In considering that scheme, the most obvious effect of it is that it is so contrived that corn shall be admitted at a period of the year in great floods—or, to use a phrase of Mr. Canning, in a deluge, overwhelming the markets, and not constantly and steadily supplying them, according to the necessity of trade and commerce. Such has been the effect of the present law. If any one will consult the report of a speech which has been published by Lord Monteagle, he will see what proportion the introduction of foreign corn in one month has borne to the quantity introduced in the whole year. In 1837, the proportion per cent. of a month's admission to the year's admission was 78; in 1838, the proportion was 83; in 1839, the proportion was 30; in 1840, the proportion was 48; in 1841, the proportion was 82, and in 1842, the proportion was 79, making an average, during the six years from 1837 to 1842, of about 65 per cent., introduced in the harvest month, or in one month of the year. Now, let us take the importation from the colonies on which the duty is fixed. In 1837, the proportion per cent. between a month's and year's entry on colonial wheat and flour was in 1837, 24 per. cent.; in 1838, 22 per cent.; in 1839, 40 per cent.; in 1840, 23 per cent.; in 1841, 47 per cent.; and in 1842, 25 per cent.; making an average for the six years of about 30 per cent. introduced in one month of the year. If that be a true analogy, and if by having a sliding-scale you introduce a very great quantity during one particular month of the year, and if by a fixed duty your importations vary at different times of the year, but diffusing somewhat of the same quantity throughout every month of the whole year, is not that a very powerful argument against a sliding-scale? Because nothing can be worse to the farmers than a great importation of corn at a particular moment when they are least able to bear any competition. The hon. Member for Essex stated on one occasion that his constituents must feel great satisfaction that there was not a duty of 8*s.*, for at the moment the hon. Member was speaking, the duty was 20*s.* In one of the speeches of the hon. Gentleman he stated that this was a great comfort to the farmers; but I hold that to be a great fallacy, because a large importation of corn had previously taken place, and after the harvest of 1842 the farmer was exposed to a competition of not less than 2,900,000 quarters of foreign wheat, which had been imported. The papers produced on the motion of the hon. Member for Somerset (Mr. Miles) stated that that vast quantity of corn was imported during that year. Let the House consider the effect both on the consumers and on the producers of such a quantity being introduced. During seven months of the year, when these importations took place, the price of wheat was on an average at 61*s.* 5*d.*, and the quantity of corn admitted was 463,791 quarters, That was the supply when the average price was 61*s.* 5*d.* It would have been a great advantage to the consumer if there had been a considerably greater importation of wheat at that time, while it would not have been any great disadvantage to the farmer. But, in the course of five weeks the introduction of foreign and colonial wheat was 2,161,699 quarters, and the price fell to 50*s.* 10*d.* a quarter; and this continued to be the average price during the remaining five months of the year. Now, is this a reasonable scheme. Is it reasonable that when the price of corn is high, t should prevent foreign corn from coming in, and that at the moment when there was a good harvest, and when the farmer expected a fair price for his produce, the law should let in an enormous quantity of foreign wheat which should reduce the price from 61*s.* 5*d.* to 50*s.* 10*d.* a quarter? It appears to me, that this argument is almost of itself conclusive against a sliding-scale. The disadvantage which it must work to the farmers alone ought to be a reason against it. And then let the House look to the various other effects which such a scheme produces. Much has been said of the reckless speculations of men in the corn trade; and a speculator in corn has been considered a sort of animal to be looked upon by the farmers with horror. But what worse are these speculators in corn than speculators in other produce? There ever have been speculators, and I trust there ever will be. But so far as there are reckless speculators in corn, it is your laws which make them. When you impose a duty of 20*s.* a quarter on the importation of foreign corn, they cannot indeed import; but when you say, that in proportion as the price of corn increases, the duty shall diminish, you immediately convert the dealer in corn into a speculator. The speculation as to prices, then becomes as tempting as any lottery; and how can you complain that the reckless speculator, as you call him, should be tempted to make the most he can by the means you place in his power. The right hon. Gentleman (Sir R. Peel) last year, when speaking in defence of this law, (and considering his great abilities and powers of debate, it was rather a singular observation for him to make) stated that the effect of the law had been much injured by the criticism of my noble Friend the Member for Tiverton, who, availing himself of an admission of the right hon. Gentleman, that the law might be very materially affected by the state of the weather, contended that a bad harvest would render the law inoperative. This reminds me of an observation of a friend of mine who, when Regent-street was first built, said, that it might be a very good street, but it would not bear the weather, nor criticism. That seemed to be the case with this law. If the weather be unfavourable—if there be a fortnight's rain or cold nights, then the law is indefensible, and every kind of wild speculation is thought of. They would see persons with speculation in their eyes, going about expecting a very great gain from the introduction of corn and a very

bad harvest. But not only that, if any one criticized the law, then it was said, that that made the law unsafe and injurious. Such is the ricketty and unhealthy constitution of a law which you stated last year to be final—no not final, but to establish for a short time a system beneficial for the country. The right hon. Gentleman referred to a paper with respect to prices in the months of June, July, August, and September from the years 1773 to 1793 which bears the name of Captain Gladstone on its back. But if that paper was intended to show that there had always been such great variations of prices as have occurred during the last few years, I think the object of the right hon. Gentleman has not been answered. The paper shows just the contrary of that supposition. I will not go through the items by mentioning the prices, but if any one will take that trouble, he will see, that taking a good harvest, a bad harvest, and an average harvest, the change of prices during those years (namely, between 1773 and 1793) has been very trifling as compared with the alterations of prices under the sliding-scale. We find changes from 48*s.* to 52*s.*, from 54*s.* to 49*s.*, but we find no changes from the year 1773 to 1793 such as have taken place under the sliding-scale. There is an argument used by the right hon. Gentleman the President of the Board of Trade, in defence of the present law, which I think he has never completely developed; and it appears to me, that when his observation is examined it leads to a very different result to that which he considers. He stated, in respect to the Corn-law, that the general course of its history and legislation was different from that with respect to the legislation on other subjects, and that you will continue that difference by the present law. Now, I will take the liberty to state to the House the alterations which have been made with regard to the Corn-laws. But, in the first place, I must observe, that with respect to the prohibition, and to prohibitory duties, your whole policy has changed upon this subject since these Corn-laws were enacted and while they have been in operation. It is no longer an argument, to say that you ought to have a prohibitory duty now, because it was the policy of the Legislature in the reign of Charles 2nd. or William 3rd. to give protection to your home productions inasmuch as your national policy has been essentially changed. In 1825 Mr. Huskisson made a great alteration in the law with respect to the manufactures of the country. There had been a total prohibition to import silks, and in respect to cottons and woollens, the duty being 60 and 70 per cent. he proposed to take away those prohibitory duties, making the duties in some instances 10 per cent. and in no instance more than 30 per cent. The argument, therefore, for keeping up a prohibitory duty on the ground of its being the system of the country, totally failed, that system having already been altered. In the course of the last year did the right hon. Gentleman contemplate that policy? Did he endeavour to uphold what was called the mercantile theory of former times? On the contrary, he proposed a duty of five and ten per cent. upon articles of raw produce and of ten, fifteen, and twenty per cent. upon manufactured articles, thus precluding altogether the principle of prohibitory duties. Therefore it is no valid argument to say that, with respect to corn, the adherence to a prohibitory duty was in consonance with the system of this country, because that system had been condemned by the adoption of an entirely new policy in respect to all other articles. What has been the state of the law as compared with what it is now? The duty stood thus:—In 1670, the price of wheat being 55*s.* to 82*s.* 6*d.*, the duty was 8*s.* 3*d.*; in 1690, 55*s.* to 82*s.* 6*d.*, duty 8*s.* 7*d.*; in 1704, 55*s.* to 82*s.* 6*d.*, duty 8*s.* 11*d.*; in 1747, 55*s.* to 82*s.* 6*d.*, duty 9*s.* 3*d.* At that time this country he was aware was an exporting country; but at all events it showed that then a duty of 8*s.* was sufficient, when the price was 55*s.* whereas the duty is now 18*s.* After this the population of the country increased, and in the year 1774 the duty on a quarter of wheat, when the price was 49*s.* 6*d.*, was only 6*d.* In 1791, when the price was 51*s.* 6*d.* to 55*s.* 8*d.*, the duty was 2*s.* 6*d.*, and above that price corn was admitted at 6*d.* duty. Such was your policy from 1670 to 1804. It was a policy which at one time was so far liberal, that when the price was above 49*s.* 6*d.*, you had no more than a duty of 6*d.*, and the highest duty, when the price was 55*s.*, was 9*s.* 3*d.*, whereas now the duty at that price was 18*s.* Therefore, even when you kept up a restrictive system with respect to your manufactures, your law with regard to corn was not so stringent as it is at the present time. In 1804 a great change took place. You had been engaged for many years in a great war. But what, in fact, determined the prices? From 1797 to 1815 the state of the currency was depreciated, and, in consequence of that depreciation, the duty was of little value. In four different years the price of corn was above 100*s.* per quarter; but in 1815 a new policy was adopted, and 80*s.* was established as the price at which foreign corn might be admitted. An important change occurred in 1819, which really affected the price of corn. The attempt to keep up the price of corn at 80*s.* entirely failed; for the right hon. Baronet, in 1819, introduced a change in the currency, and restored the standard of value. The effect of the restoration during the five years before and five years after 1820 was remarkable:

In 1816 the price was	78*s.*
1817	96*s.*
1818	86*s.*
1819	74*s.*
1820	67*s.*

Thus, even in 1820, a great difference in the price had been produced; but the average of the five years was 80*s.* 9*d.* per quarter. What was the case in the five years following 1820?

In 1821 the price was	56*s.*
1822	44*s.*
1823	52*s.*
1824	63*s.*
1825	68*s.*

Giving an average of 57*s.* 3*d.* instead of the former average of 80*s.* 9*d.* That average from 1820 to 1825 does not much differ from the average from 1830 to 1840. It was not therefore any alteration in the Corn-laws that had produced the alteration of price, but the alteration in the monetary system. The history of these laws shows that we should not be well founded in saying that in former times we had a system more restrictive than that which at present prevails; on the contrary, the system was of old much less restrictive. In 1804 we adopted a restrictive system, and in 1815 we carried it farther, but you have no warrant in history for maintaining your present scheme. Let it be remembered, too, that this system of increased restriction endeavouring to maintain monopoly has been carried into effect while population has been increasing rapidly and vastly. In 1800 the system only applied to five, six, or seven millions of people, but you are now applying it to seventeen, eighteen, and nineteen millions. You are making greater restrictions at the very time when you ought to introduce greater liberty. You are applying to an augmented population a system of restriction that was unknown even in the reign of Charles 2nd. In 1841, when I was prevented by the right hon. Baronet from bringing forward the question of the Corn-laws, I stated that the vast increase in the population was a reason on which I relied for a diminution of the restrictions on corn. The right hon. Baronet then told me that my argument was not worth an answer, and that it might safely be left to itself. [Sir *R. Peel*: "I never said so."] Certainly the right hon. Baronet then said, that he did not think it proper to enter into the question, and that there was nothing in my motion to make it worth while to offer any answer to it. Such was my impression, and such I believe was the import of what the right hon. Baronet said, although I have not consulted "Hansard" upon the point. [Sir *R. Peel*: "I should not have treated the noble Lord with so much disrespect."] I do not complain of disrespect; but what I mean is that, in that speech, as well as in every other made before the general election, the right hon. Baronet affected to hold very cheap all the arguments in favour of a change in the Corn-laws. Ever since the general election, not only the right hon. Baronet, but all his colleagues—first, the Home Secretary, and then the Secretary for the Colonies—have talked of the great increase in the population, and have admitted it as a ground for changing the law. [An hon. *Member:* "The Paymaster of the Forces has not admitted it."] That is true: the Paymaster of the Forces has made no such admission; but since the general election the increase of the population has been constantly mentioned as a reason for making some change in the law. I am satisfied that the right hon. Baronet and two of the Secretaries of State are convinced of the soundness of the argument. If so, then I say make an alteration upon some sound and intelligible principle: do not attempt first one little change and then another; do not adhere to a sliding-scale, nominally and partially set it aside by a fixed duty; do not attempt to do that by some contrivance regarding Canada, and affect to introduce corn from a country whence you have ascertained that no corn is likely to come. Do not by subtle practices like these, in fact, avoid making an alteration openly which you yourselves admit to be reasonable. I see that in a late speech delivered in the United States, Mr. Webster mentions an inclination which he presumes to exist in the government of this country, to admit, not indeed, wheat and barley, but Indian corn, the produce of the United States, there may some benefit arise from the introduction of Indian corn, but it must be small, inasmuch as it is not the habit of the people of this empire to consume it; but I say again, that if we are to make an alteration, do not let us make it as regards Canada merely, or as regards a particular species of grain; let us do something openly and fairly, and upon a comprehensive principle. As Mr. Webster says, "either warm us or cool us; either freeze us or scorch us; but do not heartlessly attempt nothing." Although this was said on the other side the Atlantic, I imagine that it will find many sympathisers on this side of the water. Not merely the agricultural, but many of the commercial classes, have found reason to complain of some of the hasty changes made last year in the tariff. The agricultural interest is now suffering from uncertainty—from a state of things which they feel assured cannot be lasting; and they would be thankful to you, if they could once get rid of the notion of uncertainty. They want you to settle the Corn-laws in some way that is likely to last for a time. [Mr. *Gladstone*: Last for a time.] The right hon. Gentleman takes hold of that phrase, but let me tell him that I am much more for final measures than he is: I am rather an advocate for finality, especially in commercial Legislation in which any degree of uncertainty has an injurious effect on numerous classes. I do not find fault with the declarations of the right hon. Baronet (Sir R. Peel) sitting on one side of the House or the other: I do not think that he said, on the one hand, that he intended to adhere obstinately to the existing law; nor, on the other, did he tell us that he had reason to think that he should immediately change it. He told us, in fact, what I expressed in those few words, that upon the present law the country must rest for a time. [Sir *R. Peel*: In changing it would you scorch us and freeze us.] In some quarters we were told that we were to have a Corn-law which could only be altered by the revolution of ages. [*No! no!*] I understand such a declaration was made, but I do not consider economical laws like those which affect the constitution of the country; but what you must depend upon is a law which, in its working, will give that satisfaction and produce that confidence which will lead people in general to desire no change. But I say that this law will have a contrary effect—that no persons are contented with it. The farmers themselves, at this moment, feel the evil of having three millions of quarters of wheat thrown at once upon the market. It is impossible that there should be any satisfaction, so long as so artificial and, as I think, so vicious a principle is allowed to prevail. I now come to those principles on which, in my opinion, an alteration of the law ought to be founded; and I shall only state them generally, nothing more being necessary on moving for a committee of the whole House, and I shall be ready to go into details if the House assent to my motion. Some persons of considerable influence in the country ask for a total abolition of restrictions upon the importation of corn; but I do not think, as a matter of principle, that measures based upon certain grounds, though savouring of the nature of restriction duties, are in any way inconsistent with the doctrines of free trade. I do not find them so treated by any great writer; on the contrary, I find it admitted that they may exist in conjunction with freedom of trade. Countervailing duties, for example, I do not regard as contrary to the principle of commercial intercourse. As a general principle, we may say that we ought not to interfere in the direction of industry, or in the management of trade; but if, for the purpose of finance, you lay a duty on a particular article, it is not only allowable, but it is just, that a foreign importer should be liable to an equivalent duty. If you impose a duty upon glass, for instance, upon printed cottons, or upon hops, and if you say that the foreign importer shall be free from that duty, you will not be acting on the principles of free trade, but upon the principle of protection to the foreigner to the injury of the home producer. If you lay a tax of 200 or 300 per cent. upon certain manufactures—a tax so high, for instance, as that upon malt, are you to say that foreigners may introduce it free of duty? If you do, you give an advantage to foreigners over your own subjects. If your revenue requires that you should lay a duty on any home produce or manufacture, it is, I repeat, only justice that you should make a foreign importer pay a similar duty. Those who ask for a total abolition of all duties on corn contend against that principle. I am aware, indeed, that they dispute the fact, and I am not now going to argue as to its existence. They allege, first, that there is no direct duty on the production of corn; and secondly, that the indirect charges which the agricultural interest contend press peculiarly upon it, are, in fact, borne equally by every class of the community. That is a question which may be very well argued before a committee, and if the House resolve itself into that committee I shall give my reasons why I think peculiar burthens are borne by the land. If I make out that position the principles of free trade will not be violated by the course I propose to pursue. There is another ground on which, I think, we may fairly impose a duty on foreign corn. It is a ground which has been stated over and over again with reference to every faulty, vicious, unwise, but long-continued system of protection. And I know no writer, however much he may be attached to abstract truth, who has not stated that great caution must be displayed, and degrees observed, in making any great change in a commercial system. Dr. Adam Smith found great fault with what was formerly our colonial system; and this, by the bye, is another point in which our policy has been completely altered, for we formerly ensured to this country a monopoly of the supply of our colonies. Against that system Adam Smith strenuously contended, but when he came to the practical question of the removal of the grievance, he proceeds very cautiously. He says—

> "To open the colony trade all at once to all nations, might not only occasion some transitory inconveniency, but a great permanent loss to the greater part of those whose industry or capital is at present engaged in it. The sudden loss of the employment even of the ships which import the eighty-two thousand hogsheads of tobacco, which are over and above the consumption of Great Britain, might alone be felt very seriously. Such are the unfortunate effects of all the regulations of the mercantile system! They not only introduce very dangerous disorders into the state of the body politic, but disorders which it is often difficult to remedy without occasioning, for a time at least, still greater disorders. In what manner, therefore, the colony trade ought gradually to be opened; what are the restraints which ought first, and what are those which ought last, to be taken away; or in what manner the natural system of perfect liberty and justice ought gradually to be restored, we must leave to the wisdom of future statesmen and legislators to determine."

While Adam Smith thus states the principle broadly, he is opposed to a sudden change, and leaves it to statesmen and legislators to decide upon the means of establishing by degrees an entire freedom of trade. Another and an able writer, full of abstract propositions, I mean Mr. Ricardo, when he came to a practical question recommended that the duty of 20*s.* on foreign corn should be reduced to 10*s.* and that that 10*s.* should remain as a permanent duty. He admitted the excellence of perfect freedom of trade; but when he came to deal with a branch of commerce which had grown up under, and had been established by your legislation, he admitted the rashness of rushing at once from one extreme to the other. For this reason, if the House resolve itself into the committee, what I should propose would not be an immediate abolition of all duty, but a moderate fixed duty. It would certainly be in the power of any hon. Member to urge a total and entire abolition, but that I should oppose, and should be in favour of a moderate fixed duty [Sir *J. Tyrell*: Of what amount?]. That is a question which I will answer if the right hon. Gentleman will go with me into the committee. I will then tell him what I mean by a moderate fixed duty, and I will explain to him the grounds on which I propose it. As soon as we get into the committee I shall endeavour to ascertain what system would be a compromise likely to be satisfactory to the majority of the House, and to the different parties in the country. I must confess that my experience, and all that I have read of former times, lead me to believe that in all those much debated questions, in which antagonist opinions and principles came into conflict, the best and wisest course was always to make a compromise between those different interests, and yield something of the extreme views of either party. Even, therefore, if I were not on special and peculiar grounds the advocate of a fixed duty, I should say it is the interest of all parties to come to some settlement. And really there are subjects enough already—subjects of great anxiety, and requiring the deepest deliberation before the House and under the eye of the Government, to make it a wise and a prudent course to endeavour to effect a settlement of this particular question. And to those who entertain what I must describe as extreme views on this subject, I will adduce two great historical examples—the question of the abolition of the Slave Trade and that of Catholic Emancipation. When Mr. Fox, in 1806, moved the resolution for the abolition of the Slave Trade, he observed,

> "That the friends of abolition had constantly opposed the proposition of Mr. Dundas for gradual abolition; but that Mr. Dundas had looked forward to 1800 as the year of final abolition, while they were now, in 1806, still with the question unsettled."

So that however right the friends of abolition might have been in their principle, they would undoubtedly have been more successful in their object had they earlier entertained the idea of a compromise. Again, with respect to Catholic Emancipation, there can be no doubt that in 1812 the admission of Catholics to many offices might have been conceded; but the friends of emancipation refused a compromise because admission to the House of Commons was refused. Emancipation was not finally carried until 1829. Here again the Catholics would have done wisely had they agreed to the compromise in 1812. But it is said that even if a moderate fixed duty were agreed to the Anti Corn-law League would continue to agitate for total repeal. Now, whatever may at present be the declaration of those who conduct the agitation I confess my doubt whether it could, after such a settlement of the law, be carried on with any practical benefit. That Anti Corn-law agitation, it must be observed, is kept up not by persons who have no other object but agitation,—who, either for the sake of public distinction or for some other perhaps selfish object, prolong the discussion of the question; but many of those who subscribe their money, give their time, and attend the meetings of the Anti Corn-law League, are persons engaged in business and manufactures which require their constant superintendence. They are men naturally averse to the turmoil of immense public meetings and harangues, they take part in the present agitation from necessity, and my belief therefore is, if the Legislature showed a disposition to come to some agreement upon this subject, and if it established a settlement by act of Parliament, they would find nearly the whole of the Anti Corn-law agitation would cease of itself. I have now stated the reasons why I think we should make some alteration in the existing law; I have also stated the reasons which induce me to think we should propose rather the continuance of a duty than the complete and immediate abolition. I must say, notwithstanding all that has been said by hon. Friends of mine, I am still convinced there should be some provision, either in the law itself or by the interposition of the Crown, to meet extreme cases, that might happen, of scarcity, when some relaxation of a fixed duty would be indispensable. I fully admit that is my opinion, not founded on economical principles, because I think when corn gets up to 70*s*. or 80*s*. the imposition of 8*s*. or 10*s*. duty adds nothing to the price, and the consumer will have the article as cheap with as without that payment; but, regarding this as a political question, I feel if anything like a considerable duty coexisted with a scarcity in the country, and with any great fear that scarcity would be aggravated, there would be such discontent with the law as would expose the executive Government to great disadvantage unless a power of relaxation existed. But I do not expect that such a case would often occur; indeed, I think it would be a very rare case, because if we had a fixed duty, if that duty were not excessive, we should have importation when corn rose to 50*s*., 52., and 55*s*., gradually going on. People, seeing a chance of any relaxation of the duty at a great distance, would be content with the ordinary rate of profit in mercantile transactions; and if they were contented with that profit—if, instead of the reckless speculator, we had regular merchants engaged in this trade, corn would regularly be imported, and, the exportation of manufactures going on to replace it, the price generally would be kept down and prevented from ever rising to an excessive amount. I believe, therefore, although we must not shut our eyes to such a contingency, it is not one that will frequently occur, or would prevent the ordinary operation of the law. These are the reasons and grounds on which I ask the House to make an alteration of the present law. I do not propose it as a question of party, it is not one in which those with whom I act have taken a line by which they are distinguished from any other party in the state. As a party that to which I have the honour to belong has both in former and in present times had a sufficient number of acts embodied in the statute-book upon which to found their reputation, without claiming any exclusive right to the honour of establishing the principle of free-trade. Beginning with the Habeas Corpus Act and the Bill of Rights, going down to the Reform Act, the Municipal Reform Act, and the Act for the Abolition of Slavery—there are titles enough to the support of the people of this country contained in our legislation for me to be satisfied with those claims. With regard to the question of free-trade, it is perfectly true, historically speaking, as the hon. Member for Shrewsbury (Mr. Disraeli) has more than once contended in this House, that at the time of the peace of Utrecht, and at the period of proposing the commercial treaty with France in 1786, the Tory party were in favour of those principles, and the Whigs defended the side of commercial and manufacturing restrictions. In later times there has not been any distinction of party on this subject. Mr. Huskisson, as the organ of the Tory Ministry, brought forward great changes in our commercial legislation, and generally speaking the body of the Whigs, though in opposition, supported those changes. With regard to principles and opinions, I do not find that her Majesty's present Ministers differ from Gentlemen opposed to them; but there is this to be said, that for the last two or three years they carried on this contest, while we have maintained these principles, and sought to make them applicable to articles of agricultural as well as manufacturing produce, the Gentlemen opposite have given in to the doctrine which I think a most absurd one—that independence of foreigners with respect to food is essential. There is no need to refute this absurdity. With 36,000,000*l.* of exports to foreign nations, and the consequent dependence of our population to that amount for employment, we cannot pretend to be independent of foreigners. Even with regard to corn, importing, as we had done for the last three or four years, between 2,000,000 and 3,000,000 quarters of wheat every year, we cannot say we are independent of foreigners. The right hon. Gentleman the President of the Board of Trade has been one of the most forward, though not in this House, to show the absurdity of any such theory. Then, if we cannot rest on that theory, if no one really contends that any of the principles on which excessive protection was asked are sound principles, why not agree at once to a system that should be conformable to the usual and ordinary maxims of trade and commerce? What is there to prevent it? An hon. Gentleman at the Kent meeting did me the honour to hold me up as a bugbear; and said that if the Canada Bill were not supported and Ministers kept in power by the agricultural interest, the farmers would see me back in office, and be obliged to suffer all the evils consequent on that event. If hon. Gentlemen say this, if they openly confess that it is impossible to form an Administration on the principles of extreme protection, if they acknowledge no alternative between the right hon. Baronet opposite and those on the Opposition side, who are still greater advocates of free-trade than the right hon. Gentleman, what objection can there be to the Government now considering the principles on which the corn-trade should be established, and endeavouring to obtain some stability on this subject? For myself, I am content that the present Ministers should have the credit of changing the Corn-laws; but I am convinced that a change you must have, and it is far better to adopt a fair compromise satisfactory to all, than to adhere to a system which, from its uncertainty, is advantageous to none. On these grounds I submit my motion, that the House resolve itself into a committee on the Corn-laws.

Mr. *Gladstone* rose, for the purpose, he said, of endeavouring to induce the House to refuse its assent to the motion of the noble Lord; but before going into the main part of the noble Lord's observations with reference to the Corn-laws, he wished to say a few words with respect to a digression the noble Lord had made in the earlier part of his speech with regard to a totally different subject—namely, the timber duties. Whenever the noble Lord should be pleased to invite a specific discussion with reference to the change introduced in the timber duties last year, he should be ready to meet him point by point, and disprove the allegations the noble Lord had made to-night, somewhat hastily, and he believed without sufficient information; and, on the other hand, to show that the plan which the noble Lord had proposed with respect to the timber duties was in defiance of his own principles—and open on every ground to the greatest objection. On this subject, the noble Lord's charges really contradicted one another. The noble Lord said, that the change in the timber duties had introduced the greatest derangement and distress into the colonies. He challenged the noble Lord to the proof of that statement. The derangement which existed in Canada was not owing to the change in the law; on the contrary, if there was anything which promised to relieve the timber trade of Canada and New Brunswick from derangement and distress, it was the very change in the law which took place last year. It was the glutting and overstocking of the market before his right hon. Friend had announced his tariff, it was the extremely depressed state of prices in this country for some time after the plan of the Government was announced, and before it came into operation in deference to the urgent entreaties of the hon. Member for Lambeth, and others, that their constituents had large stocks of timber on hand, that produced the distress in Canada, which the noble Lord unjustly charged against the recent alteration in the law. It was reluctantly admitted by the Government that some interval should take place between the change announced, and the time when it should come into full operation; but that difficulty was not peculiar to the plan of his right hon. Friend, but must have arisen in any case when a great reduction of duty was contemplated. The noble Lord on this point had resorted to what purported to be a demonstrative proof of the failure of the Government Bill, which was, he was sure, unworthy alike of the ability and of the position of the noble Lord. He quoted the excise duty paid on glass and on bricks in the year 1842, as an illustration of the unfavourable effects of the change in the timber duties last year. The noble Lord said, that the intention was to give a stimulus to the timber trade, and then taking the articles of glass and bricks, which entered equally with timber into building, he inferred from the falling-off of these duties the failure of the Government plan. The noble Lord, however, knew that the change in the timber duties during nine or ten months of the year 1842 was not in operation at all, and during the space of two or three months, when the change was in operation, it was at that period of the year when almost all building operations were suspended. He did not hesitate to say, that everything which had taken place since the new duty had come into operation, held out the very best promise of giving beneficial results; and that whilst it was likely to answer the intention for which it was proposed, and to lead to an enlargement of trade, in consequence of the greater facilities it afforded; on the other hand, with respect to the amount of revenue which would be sacrificed, and which he thought his right hon. Friend had wisely taken at a high amount, it would be found, that the amount of loss would fall short of the estimate, and would be very materially reduced. He would now leave this incidental discussion, and go to the main argument of the noble Lord's speech relating to the Corn-laws. The ancient critics held, that for the construction of a regular drama there should be a beginning, a middle, and an end; and he would make these distinctions in the noble Lord's speech, because to the beginning and the end he had no objection. With respect to the beginning, it related to the old law, and as there was no proposition to repeal the law passed last year, and return to the state in which they were before, and as he did not anticipate any such proposition, he would leave the arguments on that branch to the agriculturists, to whom the noble Lord addressed them. He agreed with the noble Lord, that prices had not been seriously affected by the changes which were made. He also agreed in the concluding part of the noble Lord's speech, or could offer little objection to it; it showed that there were many points of contact between the noble Lord and those on that (the Ministerial) side of the House. The points of contact, indeed, were very numerous, and the points of dissent were very few. Indeed, he did not know any from which he (Mr. Gladstone), on his part, was disposed to dissent. The noble Lord gave his support to the Corn-law, partly on account of the peculiar burthens on land, and partly on the necessity of applying all economical principles with great discrimination and caution, on account of the vast interests involved in the existing enactments; and lastly, the noble Lord said, that the true method of dealing with those questions was not to give premature effect to abstract theories, but to make a compromise of interests. He was sure, that the noble Lord did not mean any unmanly compromise of what he or any other man thought to be just and right; but what he meant was, that the spirit in which such a question ought to be approached, was with an earnest desire to examine, to measure, and to compare all the great interests of the country, which, though combined and harmonious as he believed they permanently were, might yet be placed by enactments or by circumstances temporarily in a state of conflict. What the noble Lord said was, "Strike a fair balance between all, and do not give a preponderance to any." He was sure, that the noble Lord would find, not only in that House but out of it, a general concurrence in the principles which he had then laid down. With respect to that which had been a fertile theme and a strong weapon of attack upon the Government—if not by the noble Lord, at least by those who supported him—namely, the supposed intention of the Government to abandon the present law, and to be guilty of double dealing with the farmers—the noble Lord did not complain of the right hon. Gentleman's (Sir R. Peel's) declaration, and said that it was not fair to charge him with not intending to give the law all the permanence which the subject admitted, and which, under the circumstances in which it was passed, it required. He did not think, however, that permanence and finality on such a subject were to be taken in the same sense as with respect to measures involving great constitutional and social principles. To those principles, therefore, of the noble Lord, he would offer no objection; but with respect to the application of those principles he widely differed from the noble Lord. He did not think, that the noble Lord, in pursuing the course he recommended, would be just to the interests of the country, especially when the agriculturists were materially affected, at least in their statutory position, by the enactment of last year. It was not fair to look only to the change which was then effected in the Corn-laws. It was, no doubt, a great and important change, but there were other great and important changes, at least as far as the principle of protection was concerned. There was a great reduction in the duty on live animals, on fresh and salted provisions, and on vegetables. He was not about to argue the effect of those changes, but they involved a question of great importance with regard to the recognition of the principle of high protecting duties. The agricultural interests did assent to those changes, they did remove obstacles which might have been interposed, they did facilitate these important alterations, the Ministers did obtain the assent at the time of the landed proprietors to those changes, and if there were no other argument, it would be unjust to the capitalists, who had invested their money on the faith of the existing law, to introduce the change recommended by the noble Lord. The noble Lord did not bring forward a change backed by the same approbation as that suggested by hon. Gentlemen who held more extended opinions than himself. The noble Lord did not even guarantee that a fixed duty should be permanent. The noble Lord was very shy of disrobing his proposition from that mystery with which he chose to involve it. His hon. Friend, the Member for Essex (Sir J. Tyrell), who had just left the House, had made an attempt to procure from the noble Lord a declaration of what his duty was to be. Of course, the noble Lord had a right to withhold the details of his proposal at present; but in 1841, he did indicate by figures what he intended, and he (Mr. Gladstone) quoted, as an evidence of the misgivings of the noble Lord, with respect to the permanence of his plan, the fact that, when he was challenged to give the nature of that plan, he kept himself to the mere use of certain epithets to which every man might attach any opinion he pleased. The noble Lord adjourned any reply to a question of this kind till he should have induced the House to go into committee; and this was something like adjourning the reply to the Greek kalends, for the noble Lord must be pretty well aware of the fate of his motion. He was not aware what end the noble Lord meant to effect by his motion, for the noble Lord had often laid down his principles, and he had now argued this question without producing anything new. He did not think, that the noble Lord had such confidence in the magic of his oratory, though he was far from depreciating it; or that the noble Lord had such an opinion of the pliability of the materials of which that (the Ministerial) side of the House was composed, that he would hope now to produce a decision directly contrary to that at which the House had already arrived. The discussion of the Corn-laws threatened to absorb a great proportion of the public time. He believed, that during the last Session, eighteen nights were spent in the discussion of these laws; and in the present Session, although no legislative measure had been proposed by the Government, except as regarded the minute details of the Canada Corn Bill, fifteen nights had been similarly taken up. He did not dispute the right of the noble Lord, or of any other Member to discuss this question, but it was difficult, whether "we freeze or scorch, warm or cool," to use the words of Mr. Webster, for us to refuse to the agriculturists the short respite which the Gentlemen who were agitating for a total Repeal of the Corn-laws, are not disposed to allow. This was the general feeling throughout the country, and the noble Lord must deem it hopeless to expect a vote of that House in his favour, for the noble Lord had not brought to the discussion of the question any new arguments. The views which the noble Lord had now propounded with so much ingenuity, the noble Lord had propounded with equal ingenuity before; the noble Lord had been listened to with patience, he had been listened to with equal patience before; his proposal had been before rejected by the House, and it would be rejected with equal determination now. It was merely reacting the same drama; still the reiterated discussions in that House had the effect, which he would not describe as leading to the fatal result, a change in the law; but they produced an unfortunate impression out of the House, that there were parties in that House actively engaged in upsetting the law, which tended to destroy that confidence which the noble Lord made it a capital object to maintain undisturbed. With respect to the special subject of the Corn-law of the last year, he had already stated at great length the grounds on which he thought it unjust to disturb the existing law. His first ground was this. He said, that the circumstances which had transpired since the passing of that law had supported the anticipations which were held out when the new Corn-law was discussed, and on the faith of which anticipation the House had agreed to pass the bill. Many complaints had been made against the old law. The new law was passed to mitigate the evils of the old law; and he maintained, that the substantial and important objections to that law had been remedied by the new law. It was contended, that the price of provisions under the old law was exorbitantly high; at all events that complaint could not be made against the new, for the price of provisions was lower than at any period during the present century. It was objected to the old law that it opposed obstacles to the means of exchange with foreign countries. There never was a time when this objection was of less force than the present; first, because we were not yet in a position to see how the Corn-laws had effected these exchanges; and, secondly, because, with respect to foreign products, our means of taking the commodities of other countries were immensely increased; but many foreign countries, so far from acting on our enlarged views, had acted in a contrary sense, and by increasing their protective duties, they had done as much as in them lay, to contract the means of increasing the exchange. Then, again, the noble Lord said that under the old Corn-law the corn came in only at particular periods, and that this complaint remained the same under the new law. He denied that this was the case. He denied, that the experience of the last year ought to be taken as conclusive upon this point. He had shown in a former discussion, that the circumstances of the last year were entirely exceptional, and that those circumstances arose out of the expectations as to the harvest, which were erroneous. It was expected last year that there would be a deficient harvest, and large orders were sent for corn. Suddenly that expectation was reversed, and as suddenly—undoubtedly, too, much more suddenly, than would have been the case under other circumstances—there was an extensive introduction of foreign corn into the home market. But even under unfavourable circumstances the operation of the present law had been very different from that of the former law. The noble Lord relied on the figures of Lord Monteagle. It was one of the means of getting out his ingenious doctrine to adopt the figures of others, but he denied the justice of the figures of Lord Monteagle. The noble Lord took the importation of foreign corn last year as unfavourable to the new law. He took what he called the harvest months. He did not know how those months were defined, and would rather keep a little closer to the record. He would rather take the returns week by week. The charges of Lord Monteagle were confined, however, to the sixteen first weeks after the passing of the Corn-laws. During those sixteen weeks there were introduced for home consumption, 2,204,000 quarters of corn, and in the sixteenth week, there were introduced 1,354,000 quarters, whereas during the fifteen preceding weeks, there were only 849,000 quarters imported. He did not deny this very unequal operation of this new law, but he contended that in consesequence of the circumstances of the country, it was not in their power to ascertain the true operation of the new law. Still, he would show, that the new was preferable to the old. In the year 1841, he would take the sixteen weeks ending with the week of the greatest delivery, which was on the 10th of September, and he found that in 1842, there were imported during the sixteen weeks, 2,204,000 quarters, and in 1841, there were imported in sixteen weeks, 1,960,000 quarters; but out of those quarters in 1841, there were 1,852,000 entered in the sixteenth week, and in the fifteen preceding weeks there were entered only 107,000 quarters; whereas in 1842 the importation in the sixteenth week was only 1,354,000 quarters, and in the fifteen preceding weeks it was 849,000 quarters, showing a very different result under the new law. Moreover, in the fifteenth week of the last year, out of the 849,000 quarters there were introduced 295,000 quarters—so that 550,000 quarters were introduced in the fourteen preceding weeks; but against this 550,000 quarters introduced in the fourteen first weeks of the new law, there were only 80,000 quarters introduced in the fourteen weeks under the previous law. He said, therefore, that the expectations formed on passing the new law, so far as this experience had shown, although he admitted it to be inadequate, had been fulfilled. Lord Monteagle had introduced into his figures the instances of the Canadian importations, and had showed that they were introduced at periods better distributed than foreign corn. Lord Monteagle must know perfectly well that this was not a fair argument. The traders in Canada were not in the position of importing on a fixed duty. Of course the Canadian importers so arranged their importations as to avoid a collision with the great quantity of corn which would be released coming from foreign countries. They had, therefore, a strong and obvious interest to keep away from exposure to this competition, and to introduce their corn at a duty of 5*s*., whilst the duty on foreign was at 20*s*., it was better worth their while under such circumstances to pay the 5*s*. duty instead of the 6*d*., rather than wait for the 6*d*. duty, and meet the whole import of foreign corn. This altogether disposed of the figures which Lord Monteagle had supplied as far as they related to the importation of Canadian corn. Then, it was complained against the old law that it produced great fluctuations in price. No man had made this a substantive charge against the present law. Whether great fluctuations would or would not take place under the present law remained to be proved, and he (Mr. Gladstone) had himself shown that greater fluctuations had taken place in the eastern states of America where the demand was not influenced by our regulations than any fluctuations here under the existing law. It was complained, further, that " the currency was deranged by the old law." No such accusation had been or could be made against the new. On the contrary, the coffers of the Bank were never fuller than they were now. It was formerly complained that the interests of the British shipowners suffered, as in consequence of the haste with which foreign corn was frequently despatched to this country, it was conveyed in foreign shipping. This had not, however, been the case under the new law. The British shipping employed in the corn trade had, he believed, during the last year, obtained a very fair share of the aggregate trade carried on between this country and foreign nations. Another complaint against the old law was, that it had an injurious effect upon the revenue. Certainly, such an objection could not be taken to the present law; for a very large sum accrued to the revenue from this source during the last year—although he admitted that from the anticipations which had been formed of an unfavourable harvest, a large sum had probably been forced into the coffers of the State than might, under other circumstances, have been anticipated. He did not, therefore, insist upon the amount received last year being regarded as a test of the operation of the new law with respect to revenue; but no complaint could, he conceived, be urged against the existing law on this ground at present. He said, then, that if all the objections made against the old law were removed without incurring any greater evil, the object for which the House passed the new law had been achieved, all had been done which had been contemplated by those who introduced that law, and the noble Lord's proposal stood in relation to the act just in the same position as it did last year. The noble Lord was favourable to a moderate fixed duty, by which he (Mr. Gladstone) supposed that the noble Lord approved neither of a very high nor of a very low duty. He, however, doubted whether a moderate duty would be a fixed duty, or whether a fixed duty would be moderate. He believed that if the duty were to be permanent, it would fall much within the noble Lord's limits; and, on the contrary, if the same moderate protection was to be afforded to the agricultural as was given to other interests, he doubted whether the duty would be fixed in the sense of permanent; in fact, the terms of the noble Lord were not extravagant, for he proposed only to settle the Corn-laws on a basis on which the country in general would be "satisfied they should rest for a time." The opposition to the noble Lord's proposition was, therefore, still obligatory upon the House, if the conviction of hon. Members was the same as last year; they must then reject this proposal. Of course, if there had been a change of opinion, the decision should be reversed, but they knew from the votes that there had been no such change of opinion, neither had there been any change of circumstances, for the circumstances, so far as they had gone, were favourable to the decision to which the House had last year come; nothing had since occurred to place the case of the noble Lord in a better position than it was in in February the last year, when he made his motion for a fixed duty. The noble Lord, throughout the whole of his speech, acquitted his right hon. Friend (Sir R. Peel) and the Government, of the charges which had been made, as he thought, rather hastily, by some persons, that they had brought forward the new law as a new *bonâ fide* proposal which they did not seriously mean to maintain, and yet the noble Lord spoke of the Canada Corn-bill as a sort of evasion of the spirit of the act of last year. The noble Lord called it "a subtle contrivance for the admission of Canadian corn." The contrivance was of a very simple nature. The contrivance—if contrivance it were—was to prevent a circuitous method of the evasion of the law, by the admission of American corn. It was not an oblique attack on the Corn-laws, but to prevent American corn escaping the operation of the Corn-laws. It was, in fact, for preserving the operation of the Corn-laws with respect to American corn, which, being ground into flour in America, was introduced through Canada into this country. It was a subject which might excite the curiosity of posterity to know by what subtle contrivance the noble Lord and the right hon. Gentleman the late Chancellor of the Exchequer, and the right hon. Gentleman the late President of the Board of Trade, would have adjusted their proposal of 1841 with reference to Canadian corn. They had made a great objection to the ruinous effect which would result to Canada by the reduction of the duty on foreign corn in this country; and he would like to know by what peculiar application, after the reduction proposed in 1841, this ruinous effect would have been avoided. The grounds on which the Corn-law was proposed last year, the grounds on which it was accepted and passed, not indeed unanimously, or anything like it, but by decisive and repeated majorities, now remained in full force. That law was proposed, and it was accepted, on the principle which the noble Lord assumed. It was passed with reference to the burthens which the land bore, not perhaps exclusively, but in a greater proportion than any other property. What those burthens were it was not necessary for him then to inquire; whether the malt-tax or tithes were among these burthens, he would not at that moment decide; he had other burthens in view, and, without discussing them, he would say that it was because of the peculiar burthens on land that the Corn-law was proposed to Parliament last year, and was adopted by the House; and it was passed also as a general recognition of the right of protection, which was given to all at the present moment, although it was much reduced from what it had been at a former period. There was also a great extent of labour and capital invested under the existence of the Corn-law: he said capital, and it was greater than in any other manufacture; and he said labour, because whatever their opinion was as to the Corn-laws they would agree that the agricultural labourers were the men who were most at the mercy of a change in the law, and that if the change should produce any evil effects, the most ruinous and calamitous effects would be those which fell on the labourers. He was sorry to see a disposition to continue to represent this law to the country as a question of rent, as a question of the selfishness of the landlords. That was the representation made by men who were Englishmen, having the feelings of Englishmen against another great body of Englishmen, second to none in generosity and in elevation of character. They spoke of rents as if the landlords had a right to exact rents out of the farmers, more than the farmers were disposed to give. When a charge was made, and he did not think always justly made, by the hon. Member for Knaresborough, against the manufacturers, that their object was to reduce the wages of their men, what was the answer made? That it did not rest with the master manufacturers to pay what wages they pleased, but that the amount must depend upon the demand and supply in the labour market. Yet the very same persons who made this reply, when they came to rent, said that the landlords could exact an exorbitant rent from the land, although they were open to the reply that there is open competition among the farmers, and that the farmers were as good judges as the landowner what ought to be taken for rent, and that what the rent would be was regulated by what was the supply of farmers compared with the demand for land. He had often challenged hon. Gentlemen to show him how it was possible, if there was truth in their doctrines of political economy, that any great reduction of rents could take place, without some still greater reduction of the demand for agricultural labour. The argument was this: — The rent was the difference between the cost of cultivation of the best and of the worst soils; and if it were so, rent could only be reduced by diminishing the distance between the extremes of soil taken into cultivation; and, therefore, if the rents of the landlords were to be permanently reduced, they must be reduced by diminution of the classes of soil brought into cultivation in this country—by reducing the distance between their extremes; and if this were done, the result would be the reduction of the amount of cultivated lands in the country, and the consequent displacement of labour. The noble Lord had agreed in the necessity of dealing with any laws involving the grave and important interests of this country only upon the most careful consideration of the circumstance; and the noble Lord had referred to an argument, of which he had made use, respecting the former course of legislation on the subject of corn; and the noble Lord appeared to think that he had argued, that since the time of Charles 2nd, the laws had been more stringent than before that date. The charge made on the other side was this:—"Why do you deal with corn on principles different from those which you apply to other articles of commerce?" and he had said, in answer to that argument, that they must look to the former course of legislation; and that if it were expedient to assimilate the principle with respect to all articles, they must not overlook the fact, that in former times the laws passed respecting corn were conceived on different principles from those on other matters; that even so long ago as in the time of Richard 2nd, the laws which had been passed from time to time with regard to corn had materially differed in their principles from those relating to other objects. The doctrine of hon. Members opposite was, that legislation on this subject, should be uniform, and should have no reference to price, and this argument had been used with reference to the doctrine which had been also advanced upon the subject of former legislation. And he would now venture to say a few words in explanation of an argument which he had used, and which appeared to have been misapprehended. It was said, that he had stated, that the landlords in this country were in the position of sinecurists; that the House ought to deal with them as they would with sinecurists, and give them a life interest in the privileges which they held, but that until such interest had expired, they ought not to be interfered with. What he had said was this: that hon. Gentlemen opposite, desirous of the total repeal of the existing laws, and the Gentlemen of the Anti-Corn-law League, on their own principles, ought to recommend the adoption of such a course with regard to the landlords, as had been adopted with regard to Gentlemen, holding sinecure offices. He had also said, that he believed, that that House would be almost unanimous in saying that in case of the Corn-laws being totally repealed, the landlords would be entitled to be dealt with upon a due consideration of their position, and that, should the proposition for a total and immediate repeal of the Corn-laws, be carried into effect, the House would recognise the proposition for which he contended—namely, that in all legislation on this subject, the course of former legislation should be taken as a material element to guide their enactments. He would now shortly refer to the inconsistency of the arguments advanced in favour of the adoption of a new Corn-law, by way of securing a settlement of this question. The noble Lord had spoken with some hesitation, and even doubt, as to the effect of his moderate fixed duty; but the hon. Member for Dumfries had given notice of a motion upon this part of the question, the history of which was very curious. On the 17th of February, the hon. Member had given notice of a motion—

> "That it having been acknowledged on the part of the Ministry of this country, that the present Corn-law is not a settlement of the question:"

He did not know that it had been so acknowledged—

> "And there being reasonable grounds for believing that the existence of such law will be of short duration, it is just and expedient that a state of uncertainty, embarrassing and unfair to the agriculturists, and injurious to commerce, should be put an end to, and measures of a settled and a final character adopted without further delay."

He believed that it was understood that by this motion the hon. Member meant that the total repeal of the Corn-laws would be a just settlement of the question. But what was the course which he had taken upon this proposition? He gave notice of the motion for the 2nd of March, on that day there was unfortunately no House; it was renewed for the 16th. On the 16th he believed it would have been competent for the hon. Member to have brought it forward, but he deferred it until after the Easter holidays, thus leaving the country in that state of embarrassment of which he so much complained. The hon. Member had not renewed his motion until the 19th of May, and then having taken another opportunity for deliberation with respect to the perplexed and paralysed condition of trade, he fixed it for the 1st of June. Then, objecting as the hon. Member did to delay of all sorts, he again postponed his motion until after Whitsuntide. On the 2nd of June he fixed it for the 8th; on that day, and the hon. Member could not be blamed for that, there was no house; but on the 9th of June this motion, which declared repeal to be absolutely essential in order to put an end to the embarrassing uncertainty in which the agriculturists stood, this motion was postponed *sine die,* and then upon a ground the most unsatisfactory, for it was that the noble Lord was about to propose this motion for a fixed duty—a proposition, according to the hon. Gentleman, calculated only to prolong and increase the uncertainty which prevailed, and entirely inconsistent with the settlement of this question. For his own part, he greatly doubted whether any proposition, such as that of the noble Lord for a moderate fixed duty, would ensure the settlement of the question. He had already contended in that House, and he now again urged, that although it was open to Parliament to revise its decision upon any subject, yet that it was obviously most unwise to adopt such a course, unless a new and extraordinary state of circumstances called for it; and he was prepared to maintain, that in this instance there was no necessity for a revision of the conclusion at which they had arrived only during the last year. The measure which had then been passed was adopted upon a calm and deliberate consideration of all the circumstances of the case, and the noble Lord had no right to expect, that there should now be any departure from it. In bringing forward the present proposition, therefore, the noble Lord was himself doing that which he deprecated—he was lending his aid to produce the unsettlement of this question, and to prolong that agitation and uncertainty in the public mind, the existence of which was so much to be regretted. He believed that when the House had so recently arrived at a conclusion on this subject, they would be guilty of gross injustice, if they now again opened the whole question without a grave and adequate cause. Such an act would be not only unwise in itself, but dishonourable to the Government and to Parliament. It was understood that this law had not been adopted with any intention to repeal the Corn-laws—that it was passed with an honest intention to give it a full and fair trial, with a conscientious belief that it was well calculated to meet the existing necessities of the country; and so long as the circumstances under which it had been passed remained substantially the same, the resolution with which it had been introduced should be fully and resolutely maintained. Certain parties had circulated the idea through the country, that there was no intention to give it that full and impartial trial which he claimed for it; but he thought that the success of those who had held forth this proposition, had not been very remarkable. The noble Lord had said, that he believed that no one was content with the law;

but he was very much disposed to dispute that proposition, Amongst the agricultural classes there was a great degree of satisfaction displayed, not with the prices which were now obtained, but from a general conviction that the law as it stood afforded a reasonable adjustment of the question; and that was all that the House had as yet any right to expect or hope. He believed that it was commonly known, that a very general acquiescence in this law had been expressed during the last year; not an acquiescence which was either reluctant or restrained, but founded on a persuasion, that although some persons might be disposed to desire a greater sacrifice to their wishes, and others might think that too much had been already done, yet that on the whole it was a just and equitable settlement of the question between the various interests of this country. Insufficient as the experiment of this measure had yet been, he did not think that it would be advantageous to adopt the proposition now advanced by the noble Lord; and he was persuaded that Parliament would not consent to it. He would refer shortly to an observation of the noble Lord, with respect to the year 1774, before he sat down. The noble Lord had said, that by the law in that year, the prohibitory duty did not go up beyond 50*s.*; that was the most liberal Corn-law which we had ever had. Under the existing law, the duty, which was rather a restrictive than a prohibitory duty, might be said to go up to 54*s.*; but taking into consideration the alteration of the circumstances of the country, and in the value of money, he thought that it could not be justly said that the 54*s.* duty was in reality higher than that of 50*s.* in the year 1774. He did not mean to say that the existing law, taken as a whole, was not more stringent than that of 1774; but he maintained, that so far as our experience of the present law had gone, it had attained its object, by removing, or greatly mitigating, the inconveniences which existed under that of 1828, and that it had attained this important object without sacrificing others of equal importance, namely, the maintenance of such a protection as the agricultural interests had a right to expect, considering the amount they had at stake in this country, the burthens to which they were subject—and considering, also, what was the course of legislation upon this subject adopted in former times.

Mr. *Labouchere* could assure the House that he was so well aware of the threadbare nature of the topic now under discussion, and that he had already upon former occasions trespassed largely upon the indulgence of the House upon the same subject, that nothing but the general and peculiar importance of this question could induce him to trespass again even for a short time, upon its attention. The right hon. Gentleman who had just sat down, in addressing his noble Friend, had taunted him with the argument that it was impossible that his motion should be successful, and had asked him how it was that, with the certainty of such a result, his noble Friend persevered in the course which he had taken. He conceived that there was no Member of that House to whom such an observation could be addressed with less propriety than his noble Friend. The name of his noble Friend, was perhaps, connected with more important measures which had received the sanction of the Legislature than that of any man who had of late years taken part in public discussion; and there was, besides, this distinction between his noble Friend and other persons who had attracted attention for their public acts, that most of the measures carried by the noble Lord had not been taken up by him for the first time at a period when the popular feeling appeared to be strong in their favour, or when there was an immediate prospect of success; on the contrary he had stood upon the principles which he had advocated through good report and through evil report, and he had seen them in the end, because their principles were just and good, invariably triumph. And he was firmly persuaded, that the principles which the noble Lord advocated, in reference to this subject, were founded in reason and justice, and he did not apprehend, whatever might be the result of the division on the present occasion, that in the end those principles would prevail, and would receive the sanction of the Legislature and the country. The right hon. Gentleman had observed at some length upon the mischief of frequent changes in the law upon a question of this nature, and he (Mr. Labouchere) entirely concurred in those observations. But entertaining this opinion, and recollecting that in such a measure, much of evil must be mingled with the advantages which were sought to be attained, he deeply regretted that the Government had not adopted a course of procedure in this case which would have prevented the infliction of that evil which was complained of—that they had not adopted a measure more in accordance with sound policy and with justice than that which they had carried; for he thought that the very step which they had induced the House to take, being inadequate to meet the circumstances of the case, would only produce constant agitation and uncertainty, and all that train of evils which the right hon. Gentleman had admitted must follow from the existing unsettled position of this question. He should have regretted under any circumstances that a Corn-law of this nature should have been proposed by the right hon. Baronet at the head of her Majesty's Government; but the circumstances under which it has been proposed made it of greater importance than it would have been had it been brought forward at any other time. It had been proposed, not alone as an insulated measure—not as a measure affecting corn and the agricultural interests of the country merely, but as the corner stone of a great system of commercial reform. It was therefore utterly impossible but that every other interest should look to the manner in which the agricultural interests were treated, and the way in which their peculiar interests were treated by the right hon. Baronet, and the moment he had heard the law announced, he was thoroughly convinced that the commercial reforms which the right hon. Baronet proposed must be unsatisfactory to the country, because he saw that the right hon. Baronet must adopt a faulty principle of Corn-law, and apply it to other branches of commerce, or else must make a distinction between the agricultural and the various other interests of the country, and so produce discontent and dissatisfaction. If he was at all acquainted with the feelings of the commercial part of the community of this country, they were in accordance with those expressed by the noble Lord, and in the letter of Mr. Webster which had attracted so much attention. Nations might flourish, and commerce might arrive at a condition of great prosperity under very faulty legislation, but of this he was sure, that where there was constant change, no system of agriculture or commerce could arrive at any high degree of prosperity. And he therefore deeply regretted that, when the right hon. Baronet had last year proposed his Corn-law, he had not taken into consideration the great importance of throwing aside all peculiar considerations—of dealing with the landed interests, when the time came to deal with them at all, in the same manner as with the rest of their fellow citizens—of dealing with all persons alike, and the folly of giving to some a fixed duty, while to others the principle of a sliding-scale was accorded. The principle of a sliding-scale was not a mere principle of protection, but of protection in a form and shape which no other branch of commerce possessed, and which was intended only to secure certain prices to the agricultural interests. He contended that such was the object, and such would be the effect of the sliding-scale. There could be no other motive, except that vain chase after a remunerating price, which the right hon. Baronet had himself admitted to be a phantom which could never be secured. The right hon. Gentleman, the President of the Board of Trade, had complained of the intemperate language which had been addressed to the landed interests of this country. He begged to assure the House that he was far from advocating the use of any such language. But it was extremely probable that, considering that the other House of Parliament was composed altogether of landlords, and that that House was in a great degree composed of the same materials, and that they had adopted two totally distinct principles in legislating for the agricultural and the general interests of the country, such observations would be made. Human nature was but human nature, and it was only likely that they should be reminded, that their legislatorial efforts were confined to the adoption of measures favourable to their own interests. The right hon. Gentleman had said that it was impossible for that House to discuss a subject under a more serious position of things. The condition of this country rested on facts so notorious that he need not go into any consideration or description of them. He was not one of those who had ever taken a desponding view of the resources of the country. Let us have but fair play and honest legislation, and he saw nothing in the circumstances of this country to excite alarm in the mind of any man; but he must say, that it was incumbent on the Legislature to take care that they neglected nothing which could be done to avert the mischiefs which this country might have to contend with. What was the position of the country at this moment? We had a defective revenue, our exports were decreased, we had a rapidly increasing population, we had had a time of national distress, which in obstinacy, severity, and duration, was without parallel; they had had an avowal by the right hon. Baronet, when he came into office two years ago, which had led the House to suppose that he saw his way to the remedy for that distress which existed; he had now frankly acknowledged his disappointment, admitting that his hopes were but faint and dubious; and in this state of things he contended that it was the duty of Parliament to take care that they omitted nothing to lighten the burdens of the country. It might be that those who suffered from the existing distress exaggerated the power of that House to relieve them; but it was fit that they should see that they were anxious to relieve them; that they omitted no exertions towards relieving those distresses which they all joined in deploring. Therefore, under these circumstances, it indeed behoved the House to consider whether the corn trade of this country was not one of the causes of distress, by the alteration of which the House had the power, if not to remove, at all events to alleviate that distress. This they must admit, that a very great responsibility rested on that House, for there were persons in the country who believed that the protective duties were greatly injurious to the manufacturing and commercial interests of this country. Gentlemen talked of rhe Corn-law League, he was no member of the Corn-law League, nor did he share in all the opinions expressed at the meetings of that body; but still it could not be disguised that a very great body of the manufacturers of this country was connected with it. The right hon. Gentleman, the President of the Board of Trade, had ample opportunity of obtaining the opinions of the commercial men of this country—men who certainly did not take an active part in agitation—men who did not appear much at the meetings of the Anti-Corn-law League, or put themselves prominently forward to express their opinions; and he was sure, that the right hon. Gentleman would not deny that it was almost the universal feeling of the mercantile interests, not that there should be an immediate and total repeal of the Corn-laws, but that the present system was most injurious to the commerce of the country. Such was the general opinion of that most respectable important, and influential class, and he was sure that this would not be denied. The right hon. Gentleman said, that since the corn bill of last year passed, they had had such a short experience of its effect, that they were not warranted in condemning it. Perhaps he was not a fair judge on the subject, because, in his mind, the bill was condemned before it was a law. The experience of the past, in his mind, so completely demonstrated the inherent vices of a sliding-scale, and that there should be a high duty when prices were low, and a small duty when prices were high, that he wanted no further experience of the absurdity and mischievous tendency of its principle. It was true it had been stated by the right hon. Gentleman that the Corn-laws in this country were always framed on the principle of a sliding-scale; but what was the history of all these Corn-laws successively? Why, that they had all been condemned one after another. And it should be remembered that they had not been condemned because the circumstances of the country had altered, and that that state of things which led to their enactment no longer existed, and that they were no longer fitted to the exigencies of the country, as they were when they were first created, but that in the case of any one of them, their chief supporters and framers had come forward and declared that a great mistake had been made when they were enacted, and they were told that each one after the other had done a great deal of mischief to the country. Thus the shore was strewed with the wrecks of former Corn-laws, that were framed on the principle of the sliding-scale, but notwithstanding, the right hon. Gentlemen opposite still must launch their bark on this stormy ocean. Although the bill of last year might mitigate some of the evils of previous sliding-scales still it would go far to prove the mischievous effect of every measure founded on such a principle. They certainly had not had very long experience of the operation of the act of last year, but there could be no doubt that similar causes would produce similar effects. All, in point of fact, that the right hon. Gentleman said, in answer to his noble Friend was, that things had not been worse under the new sliding-scale, than under the former sliding-scale, and he had no doubt that experience would ultimately show that matters would be much better under it. The main assertion, however, of the right hon. Gentleman was, that things had not become worse in consequence of the new law, and that the right hon. Gentleman believed that there had not been so much fluctuation in the prices under its operation. Now, he believed that there had been more fluctuation than formerly. The right hon. Gentleman said, that the great effect that had been produced last year had arisen from the circumstance that corn did not come into the market as other mercantile produce, but that it came in in a large mass just before the harvest. Now it came into the market a little before the time that it usually did, for a reason which must be admitted by all, namely, because the harvest happened to be a very early one, and the speculators were therefore thwarted in their calculations, and were obliged to take out their corn at an eight shilling duty instead of waiting for a lower duty. The circumstance, however, of corn being brought out of bond at a higher duty was not in any manner owing to the measure of last year, but to the bounty of Providence in giving us an early harvest. One of the grounds that had been urged as to the superiority of the new sliding-scale over the old was the circumstance of its having put a large sum of money into the Treasury. He could not forget the appearance of horror with which Gentlemen opposite spoke of making the importation of corn a matter of taxation, although he was sure that the right hon. Baronet at the head of the Government would admit that the amount received for the corn-duties was very acceptable to him. He would avoid wearying the House with figures, as they had been so often quoted, and referred to in speeches and pamphlets on this subject; but he could not help making an observation on one matter which had been alluded to by the right hon. Gentleman. His noble Friend had referred to the admirable speech that had been made elsewhere, on the superiority of a fixed duty over a sliding scale, by his noble Friend Lord Monteagle. The right hon. Gentleman said, in a manner of which he could not altogether approve, that the figures and statements made on the occasion referred to by Lord Monteagle ought not to have much importance attached to them as they could be easily answered. Now, he did not know how far he was in order to refer to what was supposed to have taken place elsewhere, but he might observe, that as far as he could understand from the usual records of the proceedings of another place, not one of the colleagues of the right hon. Gentleman had attempted any answer to the admirable address of Lord Monteagle. It was allowed to go forth to the country, and to produce its full effect on the public mind, and he could not find that any attempt had been made to reply to it. The right hon. Gentleman had commented upon the difference of opinion which confessedly existed on that (the Opposition) side of the House on the subject of the Corn-laws, and that some were for a total and immediate repeal of the Corn-laws, while others thought upon the whole a moderate fixed duty was best. Now he did not think that this admitted difference of opinion should prevent any Gentleman from voting for the motion. The objection of the right hon. Gentleman was one of that sort of arguments which was urged by every government, and who retorted on their opponents, "Oh, you are not agreed amongst yourselves;" but this was no answer to those who all agreed in objecting to this law. He had never disguised his own opinion on this subject in that House; that, looking to the long period during which they had afforded protection to agriculture, and looking to the enormous interests which had grown up under this system of protection, and considering also that even if the principle of a free trade in corn was a just principle, still caution should be used to prevent too sudden a change which would deeply involve a most important interest—he never could bring his mind to the conclusion that he ought to vote for the immediate and total repeal of the Corn-laws. Feeling then, that this powerful interest had grown up under protection, he felt satisfied that the best course that they could adopt was to place it on the footing of a fixed duty. For his own part he always doubted whether any special burthens were imposed on the landed interest; and the circumstance which influenced his mind, was that fear which he entertained with respect to any sudden and great change, which affected not merely the landed, or the commercial, or any other great interest which had grown up under a long established principle of protection. This made him hesitate to apply precipitately principles which were sound in themselves. If they went into committee he should be inclined to follow the same course as his noble Friend, and would give his vote for a moderate fixed duty, and that corn should be treated as any other article of trade in the commercial regulations of this country. His noble Friend had been taunted with not naming the actual sum or amount of fixed duty which he would propose in committee. Now this was rather a singular objection, coming from the hon. Gentlemen opposite. It was not very long ago since his noble and right hon Friends occupied the seats which were now adorned by Gentlemen opposite, and then the right hon. Gentleman and his Friends were not so ready to communicate the course of policy which they would recommend in any emergency. The right hon. Member for Tamworth, when he occupied the Opposition bench, never would say whether the Corn-laws should be altered for not, but his uniform observation was, " wait until I am in office, and then I will tell you what course I shall pursue; for it is not becoming a Government to call upon an Independent Member of Parliament for his advice, or the expression of his opinion." But when the right hon. Baronet made this declaration, he accompanied it with a remark, than which more unfortunate words never fell from the lips of a Statesman. He stated that, with respect to the Corn-laws, there was only one thing to which he would pledge himself, namely, the principle of a sliding-scale. This declaration he was satisfied had been productive of the most fatal results. There never could have been a more unfortunate declaration, for he was satisfied that when the right hon. Gentleman proceeded to deal with the other commercial interests of the country last year, that, but for this declaration, he would have looked to a fixed duty when he came to deal with the Corn-laws. He concurred that the principle of a Corn-law, founded on a sliding-scale, differed very materially from one founded on a fixed duty, and that it led to very different results. The right hon. Gentleman said, that the inducement to frame a Corn-law was that, if possible, the agriculture of this country should produce sufficient corn for the consumption of the country. This was altogether fallacious. He believed that the harvest of last year was an average one, if it was not even more than that. Certainly, no one could say that it was a bad one, but they had imported a larger quantity of corn into this country than had been imported in any previous year; the amount was nearly three millions of quarters. Under these circumstances, to legislate and impose duties, with the view of making this country independent of a foreign supply of corn, was one of the wildest and most mischievous schemes that could be adopted by a Parliament or a Government. He had said before that he was for a fixed duty, for this reason, amongst others, namely, that it would produce a steady trade. He would not enter into any calculations to prove this, for he thought that this could be sufficiently shown in the ordinary calculations of supply and demand, which would be created whenever you allowed a merchant to bring in his goods on a tolerably certain footing. This, he believed, was the only safe course that could be pursued. He could not help alluding to the offensive terms in which a certain body of persons were alluded to, who were called by the name of corn speculators, but whose interests, in the long run, he believed were mixed up with the best interests of the community. He thought that he had heard, on a former occasion, the right hon. Baronet express himself in a tone somewhat like that of rejoicing at the effect which he supposed the law of last year had had on this body of men. He did not wish to protect any man at the expense of other classes; but he was convinced that any evil falling upon that, or any other important interest, must ultimately prove injurious to ourselves. The very circumstance which made the corn trade a gambling trade, and which led Gentlemen to complain of the corn speculators, must recoil upon themselves, and must injure them most deeply in the long run. He was sure that there was no one at all acquainted with the commercial interests of the country, who must not be fully aware of the extensive and evil effect which an injury to those engaged in the corn trade would have on the general commerce of the country. It was well known that last year many merchants of the highest character were engaged in the corn trade, the state of which turned out to be most injurious to them, and he was sure that no one who was at all aware of the circumstances of the case but must deplore the ruin of some of the most respectable citizens of this country. There was only one point more to which he would refer. The right hon. Gentleman had asked how they could expect a fixed duty to be more secure and durable than a sliding-scale. Now he thought so much of the good sense and feeling of the people of England, that he believed that if they gave a moderate fixed duty that would work well, that it would become almost durable, as the public mind would be so much set at rest on the subject. Hon. Gentlemen complained of agitation on this subject prevailing throughout the country. He had never seen an agitation in this [country continue and go on increasing for any considerable time, if it did not proceed on some very good and just ground, and he believed that the circumstance which made Gentlemen opposite weak and impotent against the agitation for the repeal of the Corn-laws, was that they were unable to defend them on any principle of justice. If the Legislature passed a law on this subject, which was recommended to the good sense of the community, he did not see why it should not be as durable as any other trade law; and even if the law which was proposed was not the very best that could be devised, still if he thought it was tolerable and not contrary to common sense, and did not keep the country, as it were, on the verge of a precipice, as the present law did, he would support it, and give it a fair trial, because he believed that mischief attended these constant changes in the Corn-laws. He thought that they might just as well build a house on a quicksand as depend upon a sliding-scale, although, as he had just stated, he was fully aware of the evils of constant change in these laws; he therefore should give his hearty support to the motion of the noble Lord.

Mr. *Hume* thought that many important observations that had been made by the right hon. Gentleman opposite had not been answered by the right hon. Gentleman who had just sat down. He felt, with respect to the right hon. Gentleman's speech, that if an utter disregard of facts and reasoning could justify the support of a law or a doctrine, the right hon. Gentleman was then entitled to great credit. The right hon. Gentleman had made a complaint as to the time that had been taken up in debating the subject of the Corn-laws, and that twenty-eight days had thus been occupied last Session, eighteen days this Session, and had adverted to it as if it had been a great loss of time. Now, in his mind, he did not believe that there was anything that could be discussed of more or of equal importance than a matter which tended to the settlement of the Corn-laws, and that there could be no expenditure of time or labour too great for the attainment of such an object. He had never heard any one connected with either of the three parties in that House on this question who did not say that it was desirable to settle the subject. The right hon. Baronet opposite, at the head of a very large party in that House, was in favour of a sliding scale. He would only refer the right hon Baronet to the opinion of the mercantile class, who certainly were the best judges as to what would be advantageous for the commerce of the country, and he would find that the sliding-scale was universally condemned by them. The sliding-scale had not secured one of the objects which the right hon. Baronet and the other supporters of it declared would result from it in 1828. It had not succeeded in keeping up prices, and it had not prevented the constant vacillation of prices, although certainly the latter object might have been limited to a small extent by the measure of last year. But comparing a fixed duty with a sliding-scale the advantages were a thousand fold—indeed he might almost say that they were incalculably in favour of the former. He objected, however, to protection altogether. It was the duty of that House to place all interests on an equal footing, and not give one an advantage over another. The whole end and object of the Corn-laws was to protect the landed interest. [An hon. Member *No! no!*] The right hon. Gentleman might say no, but he had heard several hon. Members many times in that House declare that this was the case. If the Corn-laws were not intended for the protection of the landed interest, they were utterly absurd and useless. Let the right hon. Gentleman explain what he wanted, if he did not require protection. If the laws were alike just to all, there could be no objection to them; but when you gave a protection to one class over another, you gave that class the right to take so much from the pockets of the rest of the community, which would not otherwise be taken; therefore, he regarded the Corn laws as nothing more nor less than an act of spoliation and injustice. On this ground he entertained no doubt that that should not be allowed to be continued. The noble Lord had said that there were certain special burthens which land bore in contradistinction to other interests. Now, if any one could make this out, he would not object to give an equivalent. He had made a proposition to this effect more than eighteen years ago, and then said, let there be a fixed duty which should be reduced gradually, and as rapidly as they conveniently could, till they arrived at that point when they could show there were any special burthens. They then should proceed to remove those special burthens, or agriculture should have an equivalent. If the noble Lord was prepared to show the existence of any special burthens of this kind, he would vote with great pleasure for the motion to go into committee. The hon. Member for Sheffield, however, had already, in the course of the Session, given a fair challenge on the subject, and proposed a committee to inquire into the existence of those alleged special burthens; and although, he believed, the motion was supported by the noble Lord, yet it was opposed by hon. Gentlemen opposite who claimed protection for agriculture on the ground of the existence of those burthens. When that motion was made no one opposite attempted an answer to show that there was one single burthen that fell upon land which did not also fall upon other interests. Hon. Gentlemen had not the means of vindicating the principles they put forth, they, therefore, as in ordinary cases, shrunk from all inquiry. He agreed with the right hon. Gentleman who had just sat down, that the commerce of the country could only be upheld by removing every obstacle in its way. He could not, however, tell how the right hon. Gentleman reconciled this doctrine with the conclusion of his speech, when he declared himself in favour of a fixed duty, which in his mind was a fixed impediment and a fixed injury to the progress of commerce. Under these circumstances the right hon. Gentlemen did not draw a just inference from the premises which he had laid down. He believed that a fixed duty was a fixed and cruel injustice to the people of England, and he did not believe that anything like a permanent Corn-law could be framed on such a principle. Did the noble Lord, or any one else who voted for a fixed duty, sincerely and really believe that under present circumstances anything of the kind would be a permanent settlement of the question. He was of opinion that of the three propositions on this subject, namely, the sliding-scale, the fixed duty, and a free trade in corn, the last was the only one that could be safely or advantageously carried out, as it was the only one that rested on a sound or healthy principle. For his own part he believed that the right hon. Baronet was himself convinced of the soundness of the principle of free trade, and that the open avowal of it was with him only a question of time. He was fully aware of the great difficulties which the right hon. Baronet had to contend with in this respect. The right hon. Baronet might, at the present moment, be as anxious as himself for the establishment of a free trade in corn; and, perhaps, by taking the course which he had lately taken, the right hon. Baronet was anxious thus to bring it about. The noble Lord agreed that everything must be done by compromise. He protested against such a principle. He was against all compromise. It argued a want of confidence in the power of carrying out a principle. Compromise might sometimes indeed be unavoidable, but the principle that the corn trade ought to be free was one that he was certainly not willing to give up. With respect to a fixed duty, opinions had varied very much as to the amount at which it ought to be fixed. The hon. Member for Wiltshire, when asked what would be a sufficient fixed duty, said that no amount less than 24*s.* would do. The noble Lord ought to have been ready now to state whether or not he was willing to propose a lower fixed duty than 8*s.* He wished to see the noble Lord advance towards free trade, and therefore he would have been glad to hear whether the noble Lord intended now to advocate a duty of 8*s.*, or one of 5*s.* If the noble Lord made a step towards free-trade, that fact would go far to secure to him the zealous support of those who wished to see the Corn-laws entirely abolished. The right hon. the President of the Board of Trade said he objected to legislating too often upon a subject of such great importance, and talked of the law of last year as a solemn decision, on the strength of which contracts had been made, and that therefore changes now would be improper. Why, the whole history of the Corn-laws had been a history of continual changes, and there had never been anything permanent about them, except the desire of those who made those changes to promote their own interests? The landed interests, indeed, maintained that they were actuated by a solicitude for their labourers; but was it not a mockery to talk of the labourers being benefitted by the Corn-laws, when it was well known that the agricultural labourers had never been worse off than they were now? Could the right hon. Gentleman hold up the labourers as profiting by the Corn-laws, or likely to be injured by an alteration of those laws? The opinions expressed by the right hon. Gentleman, both in that House and out of it, were the very reverse of the arguments he had that evening advanced. The right hon. Gentleman asked whether they on that (the Opposition) side of the House were absurd enough to think the landlords could command what rent they pleased? And then the right hon. Gentleman went on to argue that the amount of rents must be regulated like every other price by demand and supply. But did the right hon. Gentleman not know that it had been admitted before a committee of that House that the rents of farms were regulated by the prices which it was expected could be obtained for corn. If then the Corn-laws were not maintained with a view to the raising of rents, he should like to know what they were maintained for? What had all the struggling of the landed interest been for? He would be glad to hear the hon. Member for Norfolk explain this. If the hon. Member could satisfy him that he had been mistaken, he would be most happy to retract any opinions that he had at any time held and advanced. He knew, however, that tenants were valued in according to the prices which it was expected corn would bring, and he would consent to have any land-valuer called to the bar and examined whether such had not been the practice ever since 1815. No doubt there had been individuals valued in since the passing of the right hon. Baronet's Corn-law of last year, and if so, he would undertake to say that the same principle had been acted on. The farmers had too long been the victims of such a system, and on this ground, among others, he had been anxious to enter his protest against the system. The landowners themselves were injured by the system. It was for their interest that the commerce and manufactures of the country should be prosperous. Yet, under the existing system, distress went on increasing, and the hopes recently entertained, that a substantial improvement was going on, had of late very much fallen off. He believed that the only way really to increase the prices of agricultural produce was to promote the general prosperity of the population. The days of monopoly, such as had existed during the war had gone by. It was no longer in the power of England to command the commerce of the world. In every country her manufacturers encountered competitors, and it behoved Parliament under such an altered state of things, to see that British artizans had at least a fair field for the exercise of their industry. Let them have that, and, with the capital of England and the ingenuity of her people, he would have no apprehension of the result. If, on the contrary, they continued in the course they were now pursuing, they might bring the country into a position from which it might be extremely difficult to retrace their steps. At present, he believed there was still time for the country to recover itself, and if the House devoted itself to this subject, from this time to the close of the Session, he would maintain that the House could not be better occupied.

Mr. *Wodehouse* said, that as the hon. Member for Montrose had made reference to him, he trusted the House would indulge him by permitting him to make a few observations. Before, however, he referred to what had fallen from the hon. Member, he was first desirous of noticing the speech of the noble Lord (Lord J. Russell), in which a much different tone was observable when speaking of the measure of 1815, than that which characterised the noble Lord at a former period. There was a remarkable change in the noble Lord's reasoning with respect to the action of the currency as connected with this subject. He thought that it was folly to enter into a consideration of this subject, without, at the same time, considering the question of money. It had been proved incontestably that the range of fluctuations in England was less than that of any other country, except Sweden. This he had again and again asserted, without fear of contradiction; but it appeared that all argument of this kind was lost upon the hon. Member for Montrose, who had an *æs triplex* that nothing could affect. In 1795, Mr. Claude Scott, in his examination before the Privy Council, stated that the King of Prussia had then laid a prohibition upon minor grains, and that it was his intention to lay also a prohibitory duty upon wheat. At that time their corn was excluded from several of the countries of Europe. Upon being asked what supply they could have from America, he replied by saying that American wheat could not then be had under 80*s*. a quarter. He was asked whether he advocated Corn-Laws for the sake of the landed interest? He had before denied this, and he now denied it again. He believed that great misery would inevitably fall upon the agricultural population if any such changes were made as were now called for. About two years ago he met Mr. Frankland Lewis, after the passing of the new Poor-law, who said to him, " You are one of our principal opponents." I said, " No such thing." I said, the time may come when the tide will turn, and the difficulty will arise when there is a failure of employment." " Oh," said Mr. Frankland Lewis, " Can any man suppose there will be any failure of employment for the next seven years to come? Now there was a failure of employment every where in less than six months. But that had been foretold as inevitable, before the agricultural committee of 1836. Two years after that, the precious Import Duties Committee was appointed, of which the hon. Member for Montrose was chairman—the order for which committee that hon. Gentleman kept in his pocket for six weeks, because some favourite Cocker of his was ill; and yet he had the audacity [*Order, order.*] he had the effrontery [*Order, order.*]—well then, he had the coolness to assert, that the distress which prevailed was in no way attributable to the commercial embarrassments in America, but that it was solely and entirely attributable to the Corn-laws. Such was the conduct of the hon. Gentleman then. " But I have done with him for the present, as I have a long notice on the paper, and I will give him another turn on another occasion."

Sir *W. Clay* said, the few observations with which he should trouble the House, would have reference rather to the present condition of the question than strictly to its merits, which it appeared to him had been long since exhausted in argument; and, certainly, if he had not before thought so, that would have now been his opinion, after hearing the speeches of the noble Lord and the right hon. Gentleman near him. The right hon. Gentleman, the President of the Board of Trade, objected to the noble Lord's bringing forward a motion to disturb the existing Corn-law, while he admitted the importance of stability in the settlement of such questions. Why it was precisely because his noble Friend did not believe that the present settlement could be stable, that he brought forward his motion. In that belief he (Sir W. Clay) fully concurred. It appeared to him, that whether they looked at the course of events—at the condition of the country, and the all but universal admissions as to the cause of that condition—at the position of the Government, as regarded commercial policy, or the state of public opinion, it was impossible to come to any other conclusion than that the present Corn-law could not be maintained. Look, first, at the condition of the country, at the depression of the manufacturing and commercial interests—a depression unparalleled in extent, severity, and duration. Now, whatever might be the variety of opinion as to the minor proximate, or temporary causes of that depression, he thought he was justified in saying, that the all but universal opinion among those most competent to judge was, that its main—enduring and really fearful because enduring—cause, was to be found in the limited field of employment for capital and labour. It was not denied, that capital and skill were present in abundance, still less that in the capacity of patient and persevering toil the labouring classes of England were equal to, if they did not excel, any people on the face of the earth; but this great skill, this energetic industry, this overflowing capital, elements which in their combination had already been supposed capable of producing prosperity, had now, for a long and melancholy period, failed to produce such a result. What was the cause of the failure? Because an adequate field was wanting for their exertion. Whatever other reasons might be supposed to exist of sufficient validity to justify the maintenance of the Corn-laws, it would be scarcely denied, that these laws by crippling and embarrassing what would be the most important branch of the trade of the country, did limit, and that to a very great degree, the field for the employment of capital and labour. Proofs, disastrous proofs of the effect of such limitation, met them at every step. Every trade was overdone—every opportunity for the use of capital contested by innumerable competitors—profits fell—smaller dealers and tradesmen were ruined, and even retail trades fell more and more into the hands of wealthy persons, whose large capital enabled them to endure exceedingly minute profits. The rate of interest of money had been for a long period unprecedentedly low. As a consequence, every scheme for a joint-stock company abroad or at home—every proposal for a foreign loan, found persons ready to subscribe, notwithstanding their recent and fatal experience; and this reminded him of a consideration with regard to their commercial intercourse with America of considerable importance, as bearing on that view of the subject. It was this, that not only then, but before the existing stagnation and depression in the trade with America, both countries were really labouring under the want, on the part of America, of sufficient commercial equivalents for the amount of manufactures which the people of the United States were quite ready and willing to take. During the most prosperous periods of our trade with America, and when the demand for our manufactures for the American markets was most active, how was that want supplied? By the sale in this country of stocks created by the different states of America, and by shares of banks and joint-stock companies of various descriptions in that country. These securities formed for several years available remittances in payment of the British manufactures exported to America. Circumstances had thrown discredit on such securities; they were no longer saleable in this market; they would no longer serve for remittances, and the House might be assured, that if they persisted in their present suicidal commercial policy, they would not again have such a demand from America for our manufactures, as was the case a few years since, until the inclination should arise in this country to invest money in the public stocks or companies of that country. And what was our present state of relations with America? Was it not perfectly clear that nothing but the Corn-law stood in the way of a greatly-extended intercourse with the United States—an intercourse fraught with incalculable advantages to the people of both countries. The speech recently delivered at Baltimore, by Mr. Webster, one of the most eminent, if not the most eminent of American statesmen, and whose very recent connection with the Government gave peculiar weight and importance to his opinions, placed that matter beyond a doubt. It was perfectly clear, that if we would alter our Corn-laws, America would relax her tariff. Was it possible that the right hon. Gentleman would refuse to negociate on such terms—that the House would support him in such refusal—that the country would endure such refusal. Vast numbers of their humbler countrymen had long suffered, were still suffering, intense distress. Their Table was loaded with petitions from industrious artisans, who say that they want alike employment and food; they had now the absolute certainty that the opportunity offered to relieve that distress, to procure that employment and food, for which the petitions languished. Would they—dared they—hesitate to avail themselves of it? He really did not know a subject of contemplation at once more afflicting and absurd—one better fitted to move, according to the mood of the observer, either laughter or tears, than to see the rulers of two great nations striving by common consent to prevent their subjects contributing to each other's happiness, and intercepting by absurd legislation the free interchange of blessings bestowed on both by Providence with lavish hand, although in diverse forms. Such, for a long period and to a melancholy extent, had been the character of the policy pursued by the Governments of England and the United States. Happily there appeared at length the dawn of a better day; it was clear, that by a large and influential party in the United States, any overtures on the part of this country to cultivate a more extended and freer commercial intercourse would be well received. It would become them to make such overtures, as, beyond all doubt, it was the selfish and unwise policy of England which had mainly led the nations of the world astray, so was it her duty and her interest to lead the way in the return to a sounder policy. He believed it to be absolutely certain, that an advantageous commercial treaty might be negociated with America. Such treaty could be negociated with mutual advantages, only on the basis of an abrogation of the Corn-Laws. It was true, Mr. Webster, despairing apparently of any Government being strong enough to repeal that law, talked only of the admission, on lower terms, of rice and Indian corn; but he did not believe, that the right hon. Gentleman would make any attempt to defeat the Corn-law by an evasion, but if he saw that an advantageous commercial treaty with America could be negociated, only by opening our ports to the agricultural produce of America in the ordinary terms of commercial intercourse, he would not hesitate to take the fair, and manly, and wise course of asking Parliament to abrogate the sliding-scale of duties on the importation of corn. He repeated, that it was clear beyond all doubt, from the present condition of parties in America, and the temper of men's minds in that country, that there was the opportunity of reconsidering the state of commercial relations with incalculable advantage to both. It was equally clear, that the neglect of this opportunity by England would give the ascendancy to the party in America which advocated an exclusive policy of a high and protective tariff—and that a free and beneficial intercourse between the countries might be indefinitely postponed, perhaps for ever rendered impossible. Heavy would in his opinion, be the responsibility of any Government by whom such an opportunity was thrown away. He had dwelt thus long on our relations with America, and on the bearing of those relations on the question of the repeal of the Corn-law, because the case of America afforded the strongest instance of the prejudicial influence of that law on our commercial intercourse with foreign countries; but what was true with regard to America, was true more or less with regard to many other countries—to all the countries, for instance, of northern Europe; and he was quite sure that the right hon. Gentleman was well aware that an alteration of our Corn-law was the indispensable preliminary to restoring a sound state of commercial intercourse between ourselves and the corn growing countries of Europe. The right hon. Gentleman, too, could not but be aware that he had himself, and that the right hon. Gentleman, the President of the Board of Trade had greatly added to the difficulty of maintaining such a system as the present Corn-law. They had both enunciated, in the most emphatic language, the soundest principles of free-trade; did they suppose those principles could be limited in their operation to the articles comprised in last year's tariff? Or that, setting aside the injustice of subjecting the artisan producing any article of home manufacture to foreign competition, while they maintained a monopoly price of the chief article of his subsistence, the people of England would never be persuaded that live oxen and salted beef, pigs, and pickled pork, might safely and advantageously be brought into this country at a fixed rate of duty, but that it would be ruinous for corn to be introduced on similar principles? No; the only chance of maintaining a restrictive system was to maintain it intact; it was too much to expect that in the most commercial country in the world, laws, if not expressly designed, yet inevitably tending to introduce uncertainty and danger into the most important branch of commerce, should be retained, when the whole code, of which they once formed an homogeneous part—should have been subjected to reform, and they stood alone in strong relief, in glaring inconsistency with all the other enactments of the commercial legislations of the country. But, above all, how could the right hon. Gentleman hope to retain the present Corn-law on the statute books after the Canada Corn Bill, now before them should have become law? To do so would be the very climax of inconsistency, the most striking of anomalies. After the passing of that bill, what would have become of the "great principle" of the sliding-scale? It was given to the winds, and the only other "great principle" that he could discover remaining in our legislation in the importation of corn was, that it should be brought by a round-about road. What other "principle" was to be found in the Canada Corn Bill? The whole corn grown in the United States might be imported into this country at a fixed duty of 4*s.* per quarter, provided only it came down the St. Lawrence and not down the Hudson or the Mississippi. Would it be denied that such was the true character of the Canada Corn Bill? Would it be said, that American corn could only be thus imported after having been ground in Canada? It was quite true, that it must *en route* be ground for the benefit of the millers of Canada, and it was likewise true, that of the 4*s.* duty it must pay before being consumed in England, 3*s.* must be paid not into the imperial but into the colonial treasury—both in his opinion very inexpedient provisions, but neither altering the real character of the measure. The measure remained a complete renunciation of the principle of the sliding-scale, as far as America was concerned, neutralized indeed by the forced diversion of the trade into a circuitous and unnatural track, and deprived of almost all its value by the perverse ingenuity, which, by making it a boon to Canada, not to the United States, deprived them of the power of deriving any advantage from the concession in negotiating with that country. He had alluded to the state of public opinion, as bearing on the question of the possibility of maintaining the present law; could they be indifferent to it? See how great was the difference between that state now, and three years back, or even last year! It would be scarcely saying too much to assert, that with the exception of the classes connected immediately with land, whether as holders or occupiers, or rather of a portion of those classes—almost the entire people were opposed to the present law; certainly an enormous majority. What philosophical or economical writer of any eminence—what commercial men, what manufacturers, what practical men of any class but farmers, what real amount of opinion among the classes or individuals who guide opinion—did the right hon. Gentleman believe to be in favour of the present law? And with regard to the real amount of adverse opinion, this circumstance should not be forgotten, that from peculiar causes two very important classes had either not come forward to declare their opinions, or had neutralised the effect of the declaration by adding to it the expression of irrelevant or dangerous doctrines. He alluded to classes very opposite in condition and character, but agreeing in the particular to which he was adverting—on the one hand the mercantile, on the other the operative classes. With regard to the former, two things would not admit of dispute (he alluded more particularly to London); first, that the majority of the wealthier of those classes were supporters of the present Government; but, secondly, that they were not friendly to the sliding-scale. Why had they not declared that opinion? Because the abolition of the present system of Corn-laws having become a party question, they had kept back or been careless in avowing that opinion in the fear of weakening the influence of the party to which they mostly belonged. With regard to the operatives, it was yet better known that they had declined to take part in the agitation for the Repeal of the Corn-laws, not because they were not bitterly opposed to those laws, but because they fancied that by holding aloof, they might force the middle classes to join them in the pursuit of those visionary but dangerous objects which unhappily had taken so strong a hold of the imaginations of our imperfectly educated masses. Let the House again look at the systematic and incessant agitation of the Corn-law League. What had the Government—what had the House to oppose to it? The working of such a system would be formidable, if directed against any laws or institutions, however wise, just, or defensible. Directed against laws like the Corn-laws, it was absolutely irresistible. Looking, then, to the points to which he had adverted; looking at the condition of England, at the state of our relations with foreign countries, at the policy pursued by the Government, at the state of public opinion, it appeared to him impossible to arrive at any other conclusion than that the present Corn-law could not be maintained, and that the only question left for their consideration was, what enactment should be substituted in its place. Would they have a free trade, subject to no duty; or would they have a free trade, subject to a moderate fixed duty? He would, of these alternatives, prefer to see the importation of corn subjected to a moderate fixed duty. He believed that it would, at least, be the safest and best mode of arriving at a trade wholly free of duty. He did not advocate a fixed duty, in the belief that it would not raise the price of corn here, or that it would be borne by the foreign grower rather than by the English consumer; on the contrary, he was satisfied it could be shown by unanswerable reasoning, that it would raise the price generally of corn in this country, and would be borne by the consumers, and not by the foreign grower. Neither did he advocate a fixed duty on the ground of any exclusive burthen which could be shown to be borne by land—most assuredly not, because he believed that the malt tax was borne by the growers of barley, as was recently stated by one, whose opinions were entitled to the respectful consideration of the House. There might certainly be, and perhaps it could be so shown, some burthens falling more heavily on land than on other property, but certainly they would be more than covered by a lower duty than any one had yet proposed. Why then did he advocate a duty? On this ground simply, that the interests at stake were far too mighty not to render it wise to proceed with the utmost caution. Agriculture was not only the most important of the national interests, from the extent of capital and labour employed in it, but because with it was involved the question of the subsistence of the people. There could be no doubt but that the abrogation of the present Corn-law, and the substitution of a free-trade in corn, must produce some very considerable changes in the state of British agriculture, much less, he believed, than was supposed by the supporters of the present law, but still considerable. He and others had always contended, that the repeal of the law would not affect the value of land—that the land in which, under a system of free-trade, corn could not be advantageously grown, would be more profitably devoted to produce of a kind which could not be imported, and for which the increased prosperity of the country would furnish better markets. Yes, but this very argument implied derangement of the existing system of agriculture, and a derangement, the first effect of which he was willing to mitigate. A fixed duty would have the advantage of testing with greater safety the effect of a free-trade. It would, he was satisfied, dissipate many unfounded fears, on the one hand, and equally unfounded expectations on the other—as he felt perfectly satisfied it would demonstrate the impossibility of obtaining any considerable quantity of corn, at prices so low as seemed to be anticipated both by the advocates and opponents of a repeal of the existing law. If, with reference to the interests of British agriculture, he were content to see a moderate fixed duty imposed on the importation of foreign corn, he should not be deterred from imposing such duty, from any apprehension that he was thereby, in any sensible degree, diminishing to the manufacturing and commercial interests the inestimable value of the repeal of the present law. He knew that such was not the language held at meetings of the Anti Corn-law League. He knew that at these meetings a fixed duty of 5*s*. per quarter was looked on as little less objectionable than the present law; but he must be permitted to say that such language showed, on the part of those who used it, but a very imperfect acquaintance with the real character of the evils produced by the present law. Such language was indeed the inevitable result of that fanaticism always engendered by the long agitation of any question which nearly touched the passions of the people, and for which, perhaps, those by whom necessary reforms were refused were more justly responsible than those by whom that fanaticism was felt or expressed. A moderate fixed duty on the import of corn, supposing the trade to be otherwise perfectly free, would not prevent that which we most wanted, namely, the restoration of a sound and wholesome state of commercial relations with all the corn-growing countries in the world, from all of which we could at all times, receive a return for the manufactures we should export; because at all times our ports would be open, on known and intelligible terms, to the commodity they had to offer as an equivalent. The only effect of such a duty would be, in some degree, to narrow the circle from which we could draw supplies, precisely in the same degree, and no other, than if the freight of every imported quarter of corn were enhanced to the extent of the duty. He would also confess, that feeling convinced that a free-trade in corn, subject to a moderate fixed duty, would give a vast impulse to commerce and manufactures, and afford that enlarged field for the employment of capital, under the want of which the country was languishing. He was not desirous of seeing the yet greater, perhaps wilder development, which a trade wholly without duty would give to those interests. It would be well, perhaps, to bear in mind the possible recurrence of a state of the country, in which it would be desirable to have some resource in reserve. Whatever might be, however, the demerits or inconveniences of a fixed duty, he felt assured that their only choice was between that and a trade perfectly free. The present state of the law could not endure. It was a question of time only. Every three years added at least one million of souls to the population of the country. In the very teeth of that fact did they still believe they could retain in shackles the trade by which the people were to be fed. As he had said, they had but the choice of the mode in which they would abrogate the existing law; but the time in which that choice would remain to them was fast passing away, and perhaps this might be the very last Session in which it was within their power. Already they might have seen, by the division on the motion of his hon. Friend the Member for Wolverhampton, that the ranks of those who advocated a fixed duty had become thinner, whilst those who would yet support the Government in obtaining such a protection for British agriculture, felt that day by day such a policy was losing its value, partly because the longer the substitution of a fixed duty for that of the present system was delayed, the less effect the concession would have in satisfying the minds of the people—a main element in judging of the policy of any change—and partly because the less confidence would be felt in the endurance of any such protection. Every motive tended, therefore, to urge the importance of the settlement proposed by the noble Lord; and if he might venture, and in no unfriendly spirit, to address one word of remonstrance to the great and powerful party on the opposite benches, who were more immediately the representatives of the agricultural interest, he would say that, beyond all other classes, the landholders of England were interested in the abrogation of the present law, because, beyond all other classes, they were interested in the permanent prosperity of the country. The fundholder, the merchant, the manufacturer, might resort to other lands—they must remain and share the fortunes of their country. To suppose that while this country was prosperous, while its trade and manufactures flourished—whilst it increased in wealth as well as population, the land of England could ever fall in value was the most chimerical fear that ever entered the mind of man. But if it should happen that trade and manufactures should decay—that the wealthy capitalist, the skilful artizan, should quit their shores, leaving unemployed and starving millions behind—then, indeed, the condition of an English landowner, instead of the most honourable and happy, might be the most wretched in the world. He thanked the House for its indulgence, and said that, for the reasons he had assigned he should vote for the motion of the noble Lord.

Colonel *Wood* did not think, that the proposition of the hon. Gentleman who had just sat down promised much hope of a permanent settlement of the question. The hon. Member had said, that he was in favour of a moderate fixed duty, but he had not proceeded much further before he expressed his readiness to unfix that duty. He could not see why hon. Gentlemen opposite, who were favourable to total Repeal, and always strenuously opposed a fixed duty, should wish now to go into committee, unless they expected that this would tend to promote the abolition. Hon. Members opposite, studiously misrepresented the object of the Corn-laws. It was said, that the law of 1815 was passed, in order to keep the price at 80*s*., whereas, when it reached that price, grain was to come in duty free for three months. The true object of that law was to prevent corn from reaching the price of 80*s*. He should vote against a fixed duty, because he was satisfied it could not be maintained.

Mr. *Aglionby* remarked, that a new intelligence was springing up among the farmers, which showed that they no longer believed the Corn-laws to be beneficial to their interests. In those districts where, a few years ago, the proposal of a fixed duty would have been received with astonishment and dread, the agriculturists were now rising up to petition for an alteration of the Corn-laws. He had petitions to this effect from several parts of Cumberland, and in particular one from the eminently agricultural district of Brompton, signed by a large number of freeholders and occupiers of land. They stated, that they were no longer, as formerly, advocates for a sliding-scale; that under the sliding-scale the farming interest was becoming daily more and more depressed, and the only hope they had of prosperity was the restoration of prosperity to the manufacturing classes. Connected as he was with the land, and having no other interest than in the welfare of the agriculturists, he would tell the right hon. Baronet it was his firm conviction, that nothing could save that interest but an alteration of the present Corn-law. Some of the petitions entrusted to him were for a moderate fixed duty others for a total repeal, but all prayed for alteration. Under the influence of the present laws, the yeomanry of Cumberland were fast disappearing, and unless they were altered, he believed the condition of the farmers would become worse from year to year.

Mr. *Ewart* had felt himself obliged to postpone the motion he had placed on the paper, in the belief that the conduct of Ministers, in delaying the settlement of the question, was unjust to the manufacturing, the commercial, and, above all, the agricultural interests; but had not the noble Lord given notice of the present motion, he would certainly have brought it forward. There were three modes of settling this question; first, that of the fixed duty, which was advocated by the noble Lord; this he thought was no longer maintainable. The second was by the gradual expiry of the duty, to decline at the rate of 1*s*., or some fixed sum every year. This would involve uncertainty and agitation, as long as the reduction was in progress, would be injurious to the agricultural interest, and induce continual speculation in the corn trade. He was driven therefore to the alternative of total repeal, which he considered was now the only satisfactory way of settling the question. If any injustice should be wrought under existing contracts, that ought to become matter of settlement between landlord and tenant, but nothing would permanently settle the question, save the entire abolition of laws framed by injustice, and continued by impolicy.

Mr. *Villiers* said, that observing the impatience of the House he would only say a few words, which, as the mover lately, himself of this committee, but with a different object, he desired to do, in order that he might not be misunderstood. He intended to vote for this committee, he felt no difficulty in doing so; it was the preliminary form required for the discussion of all subjects, connected with trade, and it was impossible to decide any measure of that kind, without it, and when, in former years, he had made the same motion, persons voted with him who did not agree with him fully in opinion, which was his case now as regarded the noble Lord. He thought the noble Lord had done the cause service by bringing it forward; the advocates of the repeal of these laws wish nothing better than they should be brought before the public as frequently as possible, and knowing the distaste this House had to the subject, and the offence that they took at its being introduced, it required some courage in Members with less authority of station to submit any motion upon it. The noble Lord had done good also by showing to the country that there was a powerful party including a considerable section of the aristocracy whom he might be said to represent, who were determined that the present law should be considered no settlement of the question. That they, at least, would use their best efforts to change it, and to shake the confidence of the agriculturists in its continuance. While it would also manifest, that those who were identified with a greater change than that proposed by the noble Lord were as determined as ever to leave no stone unturned to procure for the people the removal of every vestige of a law made distinctly against their subsistence. That is the determination of those who are leagued together, for that purpose, and they feel increasing confidence in their cause. And when he thus opposed himself to the plan of the noble Lord, let him not think there was anything unreasonable in it, for he must recollect, that when he proposed what he termed a compromise he was not backed by the power necessary to give it effect. His compromise, which was for the benefit of the landed interest, was not sanctioned by that interest, and they distinctly repudiate the principle on which he offered it. He is in a minority here, and he is not backed by any party that manifests itself out of doors. It is, therefore, an offer of a compromise, without a chance of its being accepted; and, and on this account he hoped, as it was not supported by any principle, and that it fell short of what the people expected, and that it did nothing towards a final settlement of the question, that he would well consider if it would not be more prudent, more just, and more politic to give his adhesion to the only principle, and the only measure which ought to satisfy the people, and would settle the question; and with regard to the principle on which his hon. Friend, the Member for Taunton, had recommended a fixed duty—namely, that of being cautious in dealing with great interests, he begged also to call his attention to the encouragement he got from those whose interests he would protect. Why, they tell him that they do not consider that his plan is calculated to effect that object —that it will be no protection and no settlement—and the hon. Member for Brecon said, again to-night what he had said before, that he would sooner have a total repeal than a fixed duty. He believed the gallant Member represented the agricultural interests faithfully in saying so—for he observed, at all the meetings which had been held in the agricultural districts, that of the three propositions which are made for altering the present law, the fixed duty and total repeal, while there is a great majority, or nearly unanimity for the total repeal, the fixed duty is supported by the smallest minority. These meetings are held in the agricultural districts. [*Oh!*] The farmers are invited; if it is meant that they do not attend, it shows that they are not very eager for the support of the law, and that those who depend upon them have no scruple in declaring for the total repeal. But it is admitted by every candid person acquainted with this subject that their opinions have undergone great change, and that they are now in every direction calling out against the Corn-laws. So much for a fixed duty being wanted to allay the fears of the farmers, or being likely to conciliate those who are wedded to this law. But, Sir, a fixed duty is still, what all Corn-laws are, an impediment to the supply of the people with food, and I say, to treat that lightly could only be justified on the supposition that all that is said with regard to the present circumstances of the country is untrue, namely, that the people are not adequately supplied with food—that they are rapidly increasing in number—that they want more employment—and that they are necessarily dependent on foreign lands for food. If all these things were false, they might be haggling there about the nature of the impediment they would place in the way of more food being imported without danger—but he believed that they were all true—that the population has long been pressing on the means of subsistence, that it was continuing to do so every hour, and that a greater wrong, or greater injustice, could not be perpetrated than to throw any difficulty in the way of an industrious population like theirs, of whom millions were then suffering or destitute from not having the freest access to the means of life. The whole question was in this fact, the people are underfed, their numbers are increasing, and the measure is to let more food in. He said it was not safe to leave the people in this state; their discontent might be referred to other matters, but the inadequate supply of the necessaries of life was at the bottom of it. Yes, even in Ireland, though there were many abuses, like the Protestant Church, to irritate the people, the real grievance was that the people were destitute; it was this that made them so tenacious of occupying land, which was the cause of half the tumult and outrage there; and as long as such masses of the people were in want of food, property would be unsafe and the business of the country uncertain and unsteady; and it was in this state that they were then occupying themselves with the mode in which they would prevent the people being fed. It really was monstrous. He believed that, in the condition of the people, they would be much better occupied in devising a mode of giving a premium to the introduction of more food, than of obstructing it; unless, indeed, they thought with the hon. Member for the Tower Hamlets, that the people were so little distressed, that they would reserve the relief for future occasions, to prevent their being too prosperous all at once. The hon. Member's constituents must be in a very different condition from his, who, he well knew, were in a state of the deepest distress and embarrassment from the state of the trade, he believed it was the state of the country at large. He hoped, also, while they were resisting free-trade in food with other countries, it would be remembered that there was no provision made by any other means of meeting the wants of an increasing population, and that in the opinion of the most intelligent agriculturists that, as long as this law lasted, or that the question was unsettled, there was not the most distant hope of those improvements in agriculture being adopted which would alone supply the people adequately with food from this country. Under all these circumstances, he did intreat those who saw that all compromise was hopeless with the party opposite, that they would join heartily in seeking to abolish for ever a law which existed only to enrich one class by the privations of others.

Sir *R. Peel* said, I am sure the House will feel that it is equally painful for me on the one hand to permit a question of such great importance as this, and which has been brought forward by the noble Lord, to pass without comment; and, on the other, to enter on the discussion of a subject so perfectly familiar to the House as this, on which every argument has been used, not once, or twice only, but innumerable times, and with respect to which not a single new fact or principle has been announced during the present debate. I shall follow the example set by the noble Lord as far as regards the spirit in which his speech was conceived, and the moderation and temperance with which he has discussed this question; and I shall confine myself to the single point, whether it would be for the public advantage to disturb the settlement of the question which was made last year, for the sake of adopting the principle advocated by the noble Lord? I leave the House to judge from the speeches of those who intend to vote with the noble Lord, whether it be probable that such a measure as the noble Lord's will meet with that general assent, even from those who will support him on the question of going into committee, which would alone afford any prospect of a permanent settlement of the question? Every gentleman says, "Settle the Corn-laws, make a permanent settlement of the question; the expectation of further change excites and agitates the country—the people are not satisfied with the present law—let us alter it." Now, for the preliminary motion to go into committee, in order to settle this question, those even who differ *toto cælo* from the noble Lord will vote, but once grant the committee, and the extent of their differences of opinion will immediately appear. Those who are for total repeal will separate from the noble Lord, and offer the most decided opposition to the proposal which, if he obtains his committee, he will make. What prospect then is there that the motion of the noble Lord would, or could bring about a final settlement of the Corn-law question. Sir, the noble Lord has repeated to-night very fairly the opinion he has often stated before with respect to the Corn-laws. He has admitted, that the proprietors and occupiers of land are subject to peculiar burthens, entitling them to protection. He also admits the force of that opinion which he has quoted from some of the greatest writers on political economy, that when a law, however abstractedly objectionable, has existed for a long time, and great interests have been formed under its protection, nothing can be more unwise or impolitic than by making great and sudden changes to disturb the capital and industry so called into employment. Applying these principles to the present question, the noble Lord proposes that there shall be a moderate fixed duty on the importation of foreign corn. What the amount of that duty is to be, the noble Lord did not distinctly explain; though, really, when we are so immediately on the point of deciding whether or not we should go into committee, I think it is a question whether it would not be an advantage to know the amount of the duty the noble Lord means to propose. But I will not quarrel with the noble Lord on that score. The noble Lord has concealed his intention, well knowing that to state the amount would have caused a sudden explosion amongst his own friends, and that the semblance of unanimity he now sees around him would immediately have disappeared. "Moderate," no doubt his duty would be, but "fixed" it never could be, according to his own showing, because not departing in the least from the principle which he had adopted, he foresees that he cannot maintain permanently a fixed duty, but must make provision for unfixing that fixed duty, and providing some authority by which that fixed duty may be removed. Really the noble Lord was, I think, somewhat unjust to the principle of a graduated duty, when he introduced that story about Regent-street—when he said, "that the sliding-scale, like Regent-street, could bear neither rain nor criticism." Why, that was the comment of some censorious critic on Regent-street; but the noble Lord appears in the character not of a critic, but of the architect, and he himself admits, that his own structure will not bear the rain. The noble Lord says, that if the rain should come, and there should be an unfavourable harvest in consequence of distrusting his own principle of a fixed duty, he would provide some convenient authority to unfix it. The noble Lord takes it for granted, that under a fixed duty there would be such a regular pouring in of foreign corn at convenient periods as to prevent prices ever rising to an undue height; but, foreseeing that there would be a great clamour against the law, if the protection should fail, he provides the means of doing away with it. I say then the noble Lord's application of the fastidious criticism about Regent-street was rather unfair, as applied exclusively to the sliding-scale. The noble Lord was followed by the right hon. Gentleman the Member for Taunton, who supports the moderate fixed duty, but on principles totally different from those of the noble Lord. The right hon. Gentleman denies altogether the claims of the land on the score of special burthens, and rests his support of the fixed duty merely on its being unwise suddenly to disturb what has been so long in existence. The next advocate for the proposal of the noble Lord was the hon. Member for Montrose; that hon. Gentleman acquiesced in the proposal of a fixed duty, but announced his intention of proposing in the committee a plan which I cannot think would tend much to settle this question. The hon. Gentleman says, "I might be tempted to allow a fixed duty to be immediately applicable, and I will give you two years or a certain definite period for the purpose of enabling you to prove, if you can, that there are special burthens on land, and if in that period you cannot prove that those special burthens exist, the fixed duty shall be abolished." Was there ever such a way of settling a great question? A fixed duty is to be immediately applicable, time is to be given to the agricultural interest to produce proof that there are special burthens on agriculture, and if they fail in adducing that proof, then the fixed duty shall cease and determine, and the trade in corn shall be free. [*A Cheer.*] What! Does any hon. Gentleman cheer that proposal? I really did think, that the hon. Member for Montrose would have stood alone in such a proposition. The interval that would elapse would not, I think, lead to very great confidence in the permanence and security of the fixed duty. The next hon. Member that spoke on the other side of the House was the hon. Baronet, the Member for the Tower Hamlets (Sir W. Clay.) I own I was surprised at some of the positions he advanced. He says, he is unwilling to disturb so great an interest as the landed interest, on account of its close connexion with the subsistence of the people; and he fears that by unlimited free-trade the discouragement of domestic agriculture might make us repent that we had given a sudden check to the employment of capital and labour in land. There was another reason for imposing a fixed duty which I heard with the same surprise from the advocates of total repeal. The hon. Member says—

> "I am so afraid of such an expansion of commerce, and such an extension of manufacturing industry, were we to consent to an immediate repeal of the Corn-laws; that, in order to take security against so great an evil, I must have a small fixed duty."

The hon. Gentleman strongly presses upon me and the Government the policy of entering into immediate negotiations with the United States on the subject of the Corn-laws. He says we ought to make concessions with reference to the Corn-laws, as an equivalent for a modification of the tariff. I confess I do not exactly comprehend the proposition of the hon. Baronet. Would he advise us to deal exclusively with the United States, and take the agricultural produce of the United States on terms more favourable than those we should offer to other countries? He says the abrogation of the Corn-laws would be essential to any satisfactory negotiation with the United States, but if we are to abrogate the Corn-laws immediately by legislation, how is it possible to enter into negotiation with the United States, for the reduction of their tariff to be consequent on the alteration of our Corn-laws? If he thinks we ought to deal with the United States, and offer to them special privileges for the introduction of their produce, it is quite clear that he should vote for the continuance of the existing law, and not propose the immediate abrogation of the Corn-laws till we have obtained that reduction, which would give all the advantages to the United States, without any equivalent in return. I cannot understand the principle on which the hon. Baronet would negociate with the United States specially with respect to corn, while he advises us to adopt a course to-night which would offer to the United States every advantage they wished for their trade, without making any concession whatever in return. The two hon. Gentlemen who spoke last—the hon. Members for Dumfries and Wolverhampton—although I believe they intend to vote with the noble Lord on this preliminary step of going into committee, distinctly informed the noble Lord that they would be no parties to any settlement of the Corn-laws on the principles he proposed. The hon. Member for Dumfries says, that if you impose any duty, whether fixed or variable, on foreign corn, it partakes of the nature of a discriminating duty, and is liable to all its exceptions; and, therefore, although he will vote for going into committee now, he will be no party whatever to any modification of the Corn-laws on the principle stated by the noble Lord. The hon. Member for Wolverhapton holds precisely the same opinions; both those hon. Members are totally opposed to alterations of the Corn-laws on the principles proposed by the noble Lord, and they distinctly tell the noble Lord that, so far from considering his principle a settlement of the question, they will proceed in the agitation for total repeal, denying altogether the justice of any imposition of duty, on the subsistence of the people. This is the broad principle for which they contend, that there is no claim on the part of agriculture to protection, that interests, however long protected, are not now entitled to the continuance of that protection, that taxes on food are in themselves radically unjust, and that they will be no party to any settlement of the question on the noble Lord's plan. The hon. Gentleman the Member for Montrose says—

> "That I stated it as my opinion that if you subjected corn to a fixed duty you raised the price of corn, the produce of this country, universally by the precise extent of that fixed duty; that, for instance, if you imposed a duty of 8*s*. per quarter on foreign corn, I calculated that every quarter of corn produced in this country would be raised in price 8*s*., and that the measure of the amount of the tax, and the extent of the burthen, would not be the duty levied on foreign corn, but it would be that increase of price which would effect every quarter of domestic corn."

Now, I beg to assure the hon. Gentleman I never made use of any such argument. Nothing is more dangerous than arguing in the presence of the hon. Gentleman, because he immediately supposes when I refer to the argument of another, that this is an argument which I myself adopt. I was referring to the positive opinion of the hon. Member for Sheffield (Mr. Ward); it was that hon. Member who maintained the doctrine that by imposing a duty on foreign corn you raised the price of every quarter of domestic corn by the extent of the duty; and I said, if that principle were well-founded, and if the hon. Gentleman were sincere in the belief of it, it would be utterly impossible that he could acquiesce in a fixed duty on corn as a substitute for a graduated duty, because the amount of the tax would, probably, take 5,000,000*l*. or 6,000,000*l*. from the people by raising the price of all the agricultural produce of this country. I did not adopt the argument, I only stated it as the argument of the hon. Member for Sheffield. Well, admitting that it might be desirable that there should be, if possible, a settlement of this question. I ask the House, if it be possible to effect that settlement by acceding to the proposal of the noble Lord and going into committee. The noble Lord says, "Let us have a compromise." The phrase has been objected to; and what say hon. Gentlemen behind him? They say, let there be no compromise of any principle whatever; let each party insist on their extreme opinions—let there be no compromise. I think with the noble Lord, if that course be taken, there is an end to all practical legislation; if every party contends for the maintenance of their extreme opinions, there is no possibility of coming to a settlement upon any question. The very groundwork of practical legislation is mutual concession and compromise—not of principle, but such a compromise as is essential to gain the greatest amount of good, and diminish as far as possible, the evil that may be inseparable from the adoption of any measure. Now, I thought last year a compromise on the general principle had been entered into — that is, the agricultural interest not approving of the extent of that reduction of protection which I proposed, yet in the hope that it would be assented to, and would be maintained until there should be manifest proof that the maintenance of it was inconsistent with the general welfare, gave their assent to the law brought in last year. The agricultural interests were not affected merely by the Corn-laws. Most extensive changes were made in the laws which affect the agricultural interest. Laws, which gave not merely protection as to the introduction of cattle and meat, but which established the prohibitions of foreign cattle were changed. Timber, another description of agricultural produce, was opened to a much greater extent of competition with foreign timber. On many articles of agricultural produce, speaking generally, there was a material reduction of that protection which had formerly subsisted. That arrangement was made last year. You say the present law was condemned before it was passed. The right hon. Gentleman says his objections to the law have not grown up since, they were inherent in the principle of the law—he was prepared to condemn the law before it was passed. But Parliament by a great majority assented to the law; and, I must repeat what I said before, that although you may object to the principle of the law, yet many of the objections you urged against it have not been confirmed by experience, and many of the predictions you uttered have not been verified. Of course there was a great fall of price immediately on the passing of the law. The price fell from an average of 61*s*. to an average of 52*s*., arising partly from the operation of the law, but much more from the abundance of the harvest with which unexpectedly we were blessed. Since the law has come fairly into operation, looking at the price of wheat, barley, and oats, I doubt whether at any period, if fixity of price be an advantage, there was ever less variation in the price of all descriptions of grain, taking the last six months, and making the comparison with any former period of the same extent. I think it is impossible to deny that with respect to wheat an equable price has been maintained since the law came into operation, and so of barley and oats. It was said last year that the new law would still interfere with the exchanges. That prediction has not been verified. A great import of foreign corn has taken place, and yet the circulation and monetary condition of the country have not been disturbed. I say, therefore, although you may maintain the objections you urged against the principle of the law last year, it does not appear to me that intervening experience has confirmed the objections you then uttered; and seeing no ground, therefore, to distrust the operation of this measure—believing it to have been not, as I have often said, an arrangement which was determinately and invariably to be adhered to, as you would adhere to great vital constitutional principles, but an arrangement to which you ought to adhere, until convinced by the evidence of facts that it ought to be departed from,—seeing that there is great and admitted inconvenience in disturbing the country by constant alterations of laws of this nature, and not foreseeing the probability that the measure proposed by the noble Lord can lead to a settlement,—believing, also, that a fixed duty cannot be maintained under the adverse circumstances which you may expect to arise,—upon these conjoint considerations I must avow my determination to adhere to the existing law, and to negative the proposal of the noble Lord, that we should go into a committee for the purpose of substituting a moderate fixed duty for the duties on corn which at present exist.

Lord *J. Russell* replied. It would only be necessary for him to address a few observations to the House, some of them relating to what had been said of himself personally for the course he had thought fit to pursue. The President of the Board of Trade had thought fit to blame him for introducing this motion, when he knew that it would not be supported by a majority of the House. His experience had not shown that a minority was on all occasions to remain silent because it was not a majority. Majorities might always be powerful, but they were not always right; and there were few great questions of right and justice which had not had, at one time or other, to make their way against superior numbers. At all events, such a doctrine did not come recommended to him. At different periods and in different forms he had frequently brought forward the question of a reform in the representation, and, although long in a minority, truth and reason had at length prevailed, and the measure had finally been carried. The same remark would apply to the question regarding Roman Catholic disabilities: that had long struggled upward against powerful majorities, but justice had finally triumphed, and the right hon. Baronet had himself been the instrument of its success. Therefore, although he might not be in a condition to propose what could now be practically carried into effect, he had reason to hope that the time would arrive when the principles he had advocated in a minority would be adopted by a majority. Some of those who sat on his side of the House, had stated that a fixed duty would not be satisfactory to the farming interest; but it was clear from what had been said by the hon. Member for Cockermouth that not a few of the statesmen of Cumberland were in favour of a total repeal. Others, and among them the manufacturing interest, were for extreme measures, but it did not follow that they would not be satisfied with less. Again, to refer to the progress of reform in Parliament; when he formerly advocated the cause, not a few of its friends were for universal suffrage, and seemed disposed not to be satisfied with anything short of it; but they afterwards took a more temperate and reasonable view of the matter, and the country having been brought to sift and examine the subject, the Reform Bill was passed without any such general and sweeping innovation. The right hon. Baronet had said that the effect of the present Corn-bill had been to produce a moderate price of corn. [Sir *R. Peel:* I said an equitable price.] He understood the right hon. Baronet to impute the low price of corn to the existing law. [Sir *R. Peel:* I said distinctly that it was mainly owing to the good harvest.] The usual course was to attribute to the law any consequence that was beneficial. If the price of corn were moderate, then the act was the cause of it; and if the farmers were discontented, then the law had no effect upon the price. If the majority of the House adopted the proposition he had submitted to it he was convinced that a moderate fixed duty would go far, if not all the way, to satisfy the country, and put an end to agitation. One hon. Member had stated to-night that he was for a total repeal, but when the House was in committee, and the alternative was presented to that hon. Member, he had little doubt that for the sake of settling the question he would be content with a fixed duty.

Sir *R. Peel* expressed his surprise that he could have been misunderstood by the noble Lord. He had said that the low price of corn was partly owing to the operation of the law, but much more to the bountiful harvest. Those were, he believed, the very words he had employed. During the last six months there had been less variation than, he believed, in any preceding six months for many years.

The House divided—Ayes 145; Noes 244: Majority 99.

List of the AYES.

Aglionby, H. A.
Ainsworth, P.
Aldam, W.
Anson, hon. Col.
Bannerman, A.
Barclay, D.
Baring, rt. hon. F. T.
Barnard, E. G.
Bell, J.
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. G. F.
Bernal, R.
Bernal, Capt.
Blewitt, R. J.
Bowring, Dr.
Brocklehurst, J.
Brotherton, J.
Browne, hon. W.
Bulkeley, Sir R. B. W.
Busfeild, W.
Byng, G.
Cavendish, hon. G. H.
Chapman, B.
Childers, J. W.
Christie, W. D.
Clay, Sir W.
Clements, Visct.
Clive, E. B.
Colborne, hn. W. N. R.
Colebrooke, Sir T. E.
Collett, J.
Craig, W. G.
Currie, R.
Dalmeny, Lord
Denison, W. J.
Duff, J.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Dundas, Adm.
Easthope, Sir J.
Ebrington, Visct.
Ellice, rt. hon. E.
Ellice, E.
Ellis, W.
Evans, W.
Ewart, W.
Feilden, W.
Ferguson, Col.
Ferguson, Sir R. A.
Fitzroy, Lord C.
Fitzwilliam, hn. G. W.
Fleetwood, Sir P. H.
Forster, M.
Gibson, T. M.
Gill, T.
Gisborne, T.
Gore, hon. R.
Granger, T. C.
Grey, rt. hon. Sir G.
Hall, Sir B.
Hallyburton, Lord J. F. G.
Hanmer, Sir J.
Hastie, A.
Hatton, Capt. V.
Hawes, B.
Hay, Sir A. L.
Hayter, W. G.
Heathcoat, J.
Hindley, C.
Horsman, E.
Howard, hon. C. W. G.
Howard, P. H.
Howick, Visct.
Hume, J.
Hutt, W.
James, W.
Jervis, J.
Labouchere, rt. hon. H.
Lambton, H.
Langston, J. H.
Lascelles, hon. W. S.
Lord Mayor of London
Mc Taggart, Sir J.
Marjoribanks, S.
Marsland, H.
Mitcalfe, H.
Mitchell, T. A.
Morris, D.
Morison, Gen.
Muntz, G. F.
Norreys, Sir D. J.
O'Brien, J.
O'Brien, W. S.
O'Ferrall, R. M.
Ogle, S. C. H.
Ord, W.
Oswald, J.
Paget, Col.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Philips, G. R.
Philipps, Sir R. B. P.
Plumridge, Capt.
Ponsonby, hn. C. F. A. C.
Ponsonby, hon. J. G.
Protheroe, E.
Redington, T. N.
Rice, E. R.
Roche, Sir D.
Ross, D. R.
Russell, Lord J.
Russell, Lord E.
Scholefield, J.
Scott, R.
Scrope, G. P.
Seale, Sir J. H.
Seymour, Lord
Smith, B.
Smith, rt. hon. R. V.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stewart, P. M.
Stuart, W. V.
Strutt, E.
Tancred, H. W.
Thorneley, T.
Traill, G.
Trelawny, J. S.
Tuite, H. M.
Villiers, hon. C.
Vivian, J. H.
Wall, C. B.
Wawn, J. T.
Wemyss, Capt.
Wilde, Sir T.
Williams, W.
Winnington, Sir T. E.
Wood, B.
Wood, C.
Wood, G. W.
Wrightson, W. B.
Yorke, H. R.

TELLERS.

Hill, Lord M.
Tufnell, H.

List of the NOES.

Ackers, J.
Acland, Sir T. D.
Acton, Col.
Adare, Visct.
Adderley, C. B.
Alford, Visct.
Allix, J. P.
Antrobus, E.
Arbuthnot, hon. H.
Archdall, Capt. M.
Arkwright, G.
Astell, W.
Attwood, M.
Bailey, J. jun.
Baillie, Col.
Baillie, H. J.
Baird, W.
Bankes, G.
Barneby, J.
Baskerville, T. B. M.
Bell, M.
Bernard, Visct.
Blackburne, J. I.
Blackstone, W. S.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Boyd, J.
Bradshaw, J.
Bramston, T. W.
Brownrigg, J. S.
Bruce, Lord E.
Bruce, C. L. C.
Buck, L. W.
Buckley, E.
Buller, Sir J. Y.
Bunbury, T.
Burrell, Sir C. M.
Burroughes, H. N.
Campbell, Sir H.
Cardwell, E.
Chapman, A.
Charteris, hon. F.
Chelsea, Visct.
Chetwode, Sir J.
Cholmondeley, hn. H.
Christopher, R. A.
Chute, W. L. W.
Clayton, R. R.
Clive, hon. R. H.
Codrington, Sir W.
Colvile, C. R.
Connolly, Col.
Corry, rt. hon. H.

Courtenay, Lord
Cresswell, B.
Cripps, W.
Damer, hon. Col.
Darby, G.
Denison, E. B.
Dick, Q.
Dickinson, F. H.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Douro, Marq. of
Dowdeswell, W.
Drummond, H. H.
Duncombe, hon. A.
Dungannon, Visct.
Du Pre, C. G.
East, J. B.
Eaton, R. J.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Farnham, E. B.
Fellowes, E.
Ferrand, W. B.
Filmer, Sir E.
Flower, Sir J.
Follett, Sir W. W.
Forbes, W.
Forester, hon. G. C. W.
Fox, S. L.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Glynne, Sir S. R.
Gordon, hon. Capt.
Gore, M.
Gore, W. O.
Gore, W. R. O.
Graham, rt. hon. Sir J.
Greenall, P.
Greene, T.
Gregory, W. H.
Grimston, Visct.
Grogan, E.
Halford, H.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Harcourt, G. G.
Hardinge, rt. hon. Sir H.
Hardy, J.
Hayes, Sir E.
Heathcote, G. J.
Heathcote, Sir W.
Heneage, G. H. W.
Heneage, E.
Henley, J. W.
Henniker, Lord
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hinde, J. H.
Hodgson, R.
Holmes, hon. W. A'C.
Hope, A.
Hope, G. W.
Hoskins, K.
Howard, hon. H.
Hughes, W. B.
Hussey, T.
Ingestre, Visct.
Irton, S.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kelburne, Visct.
Kelly, F.
Kemble, H.
Knatchbull, rt. hn. Sir E.
Knight, H. G.
Knight, F. W.
Knightley, Sir C.
Lawson, A.
Legh, G. C.
Lemon, Sir C.
Leslie, C. P.
Liddell, hon. H. T.
Lincoln, Earl of
Lockhart, W.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Mackinnon, W. A.
Maclean, D.
Mahon, Visct.
Mainwaring, T.
Manners, Lord C. S.
Manners, Lord J.
Marsham, Visct.
Martin, C. W.
Martin, T. B.
Marton, G.
Masterman, J.
Maxwell, hon. J. P.
Meynell, Capt.
Mildmay, H. St. J.
Miles, P. W. S.
Miles, W.
Milnes, R. M.
Mordaunt, Sir J.
Morgan, O.
Murray, C. R. S.
Neeld, J.
Neville, R.
Newport, Visct.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Northland, Visct.
O'Brien, A. S.
Owen, Sir J.
Packe, C. W.
Pakington, J. S.
Palmer, G.
Patten, J. W.
Peel, rt. hon. Sir R.
Pennant, hon. Col.
Pigot, Sir R.
Plumptre, J. P.
Polhill, F.
Pollock, Sir F.
Powell, Col.
Praed, W. T.
Pringle, A.
Pusey, P.
Rashleigh, W.
Rendlesham, Lord
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, C. G.
Round, J.
Rushbrooke, Col.
Russell, C.
Ryder, hon. G. D.
Sandon, Visct.
Scarlett, hon. R. C.
Seymour, Sir H. B.
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Sibthorp, Col.
Smith, A.
Smith, rt. hn. T. B. C.
Smyth, Sir H.
Smollett, A.
Sotheron, T. H. S.
Spry, Sir S. T.
Stanley, Lord
Stanley, E.
Stewart, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Talbot, C. R. M.
Tennent, J. E.
Thesiger, F.
Thornhill, G.
Tollemache, hon. F. J.
Tollemache, J.
Tomline, G.
Trench, Sir F. W.
Trevor, hon. G. R.
Trollope, Sir J.
Turnor, C.
Tyrell, Sir J. T.
Verner, Col.
Vernon, G. H.
Waddington, H. S.
Walsh, Sir J. B.
Welby, G. E.
Wodehouse, E.
Wood, Col.
Wood, Col. T.
Wortley, hon. J. S.
Yorke, hon. E. T.
Young, J.

TELLERS.

Fremantle, Sir T.
Clerk, Sir G.

Pairs (Non official.)

AYES.	NOES.
Acheson, Lord	Eastnor, Visct.
Arundel, Earl	Fitzroy, hon. H.
Bowes, J.	Houldsworth, T.
Dawson, hon. T.	Clive, Lord
Drax, J. S. W.	Maunsell, T. P.
Divett, E.	Emlyn, Visct.
Dundas, hon. J. C.	Kerr, D.
Duke, Sir J.	M'Geachy, F. A.
Elphinstone, H.	Fuller, A. E.
Etwall, R.	Rous, Capt.
Fox, C. R.	Kirk, P.
French, F.	Alexander, N.
Guest, Sir J.	Miles, —
Heron, Sir R.	Johnstone, H.
Hobhouse, Sir J.	Davies, D. A. S.
Hollond, R.	Barrington, Lord
Johnson, A.	Lindsey, H.
Listowel, Lord	Cartwright, W. R.
Loch, James	Wilbraham, hon. B.
Maher, V.	Palmer, R.
Mangles, R. D.	Gladstone, Capt.
Marshall, W.	Sanderson, R.
Martin, J.	Bailey, J.
Napier, Sir C.	Vivian, J. E.
Pendarves, E. W.	Duffield, T.
Philips, M.	Planta, J.
Phillpots, J.	Godson, R.
Power, J.	Scott, hon. F.
Pulsford, R.	A'Court, Capt.
Rawdon, Col.	Cole, hon. A.
Ramsbottom, J.	Baldwin, C. B.
Rutherford, A.	Ramsay, W. R.
Stuart, Lord J.	Dodd, G.

AYES.	NOES.
Standish, C.	Repton, G.
Strickland, Sir G.	Broadley, H.
Troubridge, Sir T.	Forman, T.
Turner, E.	Inglis, Sir R. H.
Ward, G. H.	Lowther, J.
White, Col.	Ashley, hon. H.
Wilshere, W.	Broadwood, H.
Wyse, T.	Somerset, Lord G.

The House adjourned at half-past twelve.

HOUSE OF COMMONS,

Wednesday, June 14, 1843.

MINUTES.] **BILL.** *Public.*—1°· Sugar Duties; Commons Inclosure (No. 2).

2°· Salmon Fisheries; Coroners.

Committed.—Pound-Breach and Rescue.

Reported.—Copyhold and Customary Tenure.

Private.—Reported.—Eglwysrhos, etc. Inclosure; Watson's Divorce; Ross and Cromarty Jurisdiction.

3°· and passed:—Mildenhall Drainage; Topsham Improvement.

PETITIONS PRESENTED. By Mr. Villiers, from Brentford, and Rotherhithe, for the Total and Immediate Repeal of the Corn-Laws.—By Lord Bernard, from Bandon and other places, against Repeal, and against the National System of Education.—By Mr. Bowes, from Stourbridge, for Carrying out Rowland Hill's plan of Post-office Reform.—By Mr. T. Duncombe, from Gainsborough, Glasgow, and Manchester, for the Liberation of Chartist Prisoners.—By Messrs. Villiers, Hindley, Thornely, W. Ellis, Evans, Hume, Bowes, Langston, Forster, and Scholefield, Philips, Greene, Ord, Egerton, Busfeild, Clive, G. Knight, Gaskell, S. Crawford, Williams, W. Cowper, Blewitt, Ross, M. Gibson, P. Howard, E. Buller and J. A. Roebuck, the Lord Mayor of London, Lord H. Vane, Sir C. Lemon, Colonel G. Langton, Dr. Bowring, and Lord Duncan, from an immense number of places against, and by Lord Dungannon and Mr. Henley, from three places, in favour of the Factories Bill.—By Lord Mahon, Sir G. Strickland, Messrs. Miles, M. Gibson, and Villiers, from a number of Individuals and places in favour of, and by Mr. Egerton, from one place, against the Coroner's Bill. —From the Mortgagees and Trustees of several Roads, against the Turnpike Roads Bill.—From several places, for Encouraging the Schools in Connexion with the Church Education Society.—From Mansfield, Stockton, Preston, Bath, and Plymouth, in favour of the Scientific Societies Bill.—From the Bakers of Dundalk, for Regulating their Hours of Labour.—From Dovor, for Altering the Health of Towns Bill.—From the Oxfordshire Law Society, against the County Courts Bill.—From Leicester, in favour of, and from Bandon against, the Repeal of the Union.—From Cork, against the Grand Jury Presentment Bill.—From Kilcoe and Aghadown, against the Irish Poor-Law.—From James Gillespie for Inquiry into the Moral Training System pursued at the Naval School of Greenwich Hospital.

STATE OF PUBLIC BUSINESS.] On the question that the Orders of the Day be read,

Mr. *T. M. Gibson* said, he was desirous of having some explanation of the course which her Majesty's Government seemed to be pursuing in reference to certain important bills they had introduced into that House. He would first ask a question of the right hon. Gentleman respecting the Factories Bill. That bill was introduced into the House in the beginning of March; it was read a second time during that month; and notices were given that the committee on the bill would be taken on a certain day, several times previously. Now, he wanted to ask the right hon. Gentleman, whether, if it were the intention of her Majesty's Government to abandon this bill—and he (Mr. Gibson) had no wish that it should be brought on at all, he was very desirous that it should be withdrawn altogether—but he asked whether it would not be more candid and more open to say so at once, than by putting notices on the paper for postponing the measure when the day arrived, thus to bring the measure down to so late a period of the Session that it could not be carried on, and would drop through without appearing to be abandoned. If Government meant to abandon this measure, they ought at once to say so, and relieve the country from the suspense, and the Members of that House from the inconvenience of repeatedly coming down when it was expected that this measure was to come on. If her Majesty's Government intended really to bring on the measure, he wanted to know what reason there was why it should not be brought forward on the day on which notice was given? What was the use or meaning of a notice given before Whitsuntide of a measure to be brought on upon the 19th of June, if it were not afterwards adhered to? The consequence of this system must be that Members would disregard notices, and feel that whether a minister intimated that a measure would be brought on or not was a matter of complete indifference; and then, perhaps, a measure might be brought on, at a late period of the Session, in the absence of those who would otherwise be present. He thought, therefore, for the sake of regularity in public business, it was necessary that some very excellent reason should be afforded when a measure was not brought on after notice given. The same remarks he had applied to the Factories Bill were applicable, also, to the Ecclesiastical Courts Bill. That bill had been before the House during the whole of the present Session, and had been postponed some time ago, because gentlemen, who were members of the legal profession, were absent during the assizes, and could not be present during the discussion. It seemed as if this bill were to be postponed to a period when the assizes would again come on, and the same plea would be put in, that legal gentlemen could not be present, and then the measure must either be passed during their absence, or be carried at the end of the Session, with the bustle with which bills were then generally disposed of. The same remarks applied to the Local Courts Bill. He had himself felt, and he could speak also for other hon. Members, that he had been exposed to the greatest inconvenience from having been told one day that a measure was to be brought on at a particular time, and then being told incidentally that it was put off for an indefinite period. He called upon the right hon. Gentleman to say whether he meant to go on with the Factories Bill or not, and whether he meant to take the factory regulation clauses alone, or with the educational clauses attached, instead of continually misleading the House by notices postponed from time to time, to make it appear to the country that the bill had not been given up, but that it had fallen through the lateness of the Session.

Sir *R. Peel* said, his right hon. Friend the Secretary for the Home Department would state on the next day the course which he meant to take with regard to the Factories Bill, and the hon. Gentlemen would therefore excuse him if he postponed until to-morrow making any special announcement regarding that measure. He wished the hon. Member would ensure the means of taking a certain bill on any given day. The hon. Gentleman complained of the grievance of being obliged to attend in the House of Commons. If that were a grievance, he hoped the hon. Gentleman would have some commiseration for persons like himself, who in the discharge of their public duty, were obliged, in addition to official business, to attend regularly in that House for eight or nine hours every evening; he could not, therefore, have much sympathy with the particular grievance of which the hon. Gentleman complained. The hon. Gentleman ought to recollect the various contingencies which might occur to prevent a particular measure from being brought on. Ministers had given notice of certain measures, some to make important reforms in the administration of justice, others to make some provision for the education of the people, but it was impossible for them to specify the exact period at which any bill would come on. There had been constantly adjourned debates—he did not wish to make any complaint of these adjournments, which were necessary to give hon. Gentlemen a full opportunity of expressing their opinion, he was not at all insinuating that there had been adjournments for the purpose of delay, but when they took place for four or five nights in succession, of course they must interfere with the arrangements made for getting through the business. The hon. Gentleman would not forget that subject in which he took a deep interest, the discussion on the Corn-laws, on the motion of the hon. Member for Wolverhampton. He (Sir R. Peel) thought it of importance, that on a great question of that kind, the House should not proceed at once to the expression of its opinion; the Government, therefore, acceded to the wish felt by several hon. Gentlemen for adjournment, and they had thus been deprived of two nights in that week. He had taken the same course on other debates, but he had done so, simply from a desire to accommodate those who had charge of the public business, and from a belief, that on the whole, it was most consistent with the public interests. But it was rather hard, after he had taken that course, to charge him with not fulfilling the arrangements which had been entered into. With respect to the Ecclesiastical Courts Bill, Government had a strong wish to proceed with it, but there were other measures of greater importance necessarily brought under the consideration of the House. He never had moved an adjournment at twelve o'clock; he was ready, on the contrary, at all times to devote ten or twelve hours, instead of eight or nine, to the disposing of the public business; but it was qnite impossible for him to control the deliberations of the House, or ensure a particular measure being brought forward at a given time. The delay with respect to the measures to which the hon. Member had adverted, had arisen in a great degree from the wish on the part of Government to ascertain the views entertained regarding them, and give those who took an interest in them an opportunity of submitting their opinions to Government, in personal conferences before they were brought forward.

Sir *G. Grey* wished to state, with reference to his motion from referring the Ecclesiastical Courts Bill to a select committee up stairs, that considering the progress made with that bill, and the period of the Session to which they had arrived, it was not his intention to persist in that notice of motion. The right hon. Gentleman the Secretary for the Home Department had said, that the bill now stood for Friday week the 23rd of June. There was now no chance of a select committee and it would be still more hopeless to carry the bill through a committee of the whole House.

HEALTH OF TOWNS.] In answer to a question from Sir W. Clay,

Mr. *Mackinnon* said, in consequence of what fell from the right hon. Gentleman the Secretary for the Home Department, on the previous day, he should not press the Health of Towns Bill at present.

PRINCESS AUGUSTA OF CAMBRIDGE—QUEEN'S MESSAGE.] House in committee on the Queen's Message.

Question again proposed,

> "That an annuity of three thousand pounds be settled upon her Royal Highness the Princess Augusta Caroline, eldest danghter of his Royal Highness the Duke of Cambridge, upon her marriage to his Royal Highness Frederick, Hereditary Grand Duke of Mecklenburg Strelitz, the same to take effect from the decease of his said Royal Highness the Duke of Cambridge, and to be charged upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland:"

Mr. *Hume* said, he had been induced on a former day, to move that the chairman report progress, in conformity to what he considered an excellent principle, that the House ought not to be called upon to vote monies for any purpose of which due notice had not been given. That was not the only objection he had to the proposal of the right hon. Baronet; he disapproved altogether of the proposed grant for many reasons, but he should confine himself to the statement of only a few of the number. In the first place, he begged that any observations which might fall from him might not be supposed to be intended to throw any reflection on the character of the parent of the Princess, for he was bound in candour and fairness to state that his Royal Highness the Duke of Cambridge, in private life, so far as had come to his knowledge, and also in public life, deserved the approbation, and, compared to other branches of the Royal Family the high approbation of that House. In opposing this grant, he did not wish to reflect on the character of the noble Duke, but he meant to reflect on her Majesty's advisers, on the right hon. Baronet, and and those who had advised her Majesty on the present occasion to send down a message calling on the House for a grant of the public money. He did so, because he knew no principle by which they were called upon to maintain the children of royal dukes; he wished it to be understood clearly and distinctly that the royal dukes were placed in a situation in which they ought to provide for the maintenance of their own families, if they had families, from such allowances as Parliament should grant to them. To this view that House had given its sanction by its past conduct. When the princes arrived at that age which required a separate establishment, it was not only fit and proper, but absolutely necessary, that they should be placed in an independent situation, because, as peers of Parliament, having influence in the Legislature and the country, they ought to be placed beyond the reach of ministerial influence and control. It was on that ground that he approved of allowances being made on all such occasions to the children of the sovereign, in order that when grown up they might act as citizens and consult the interests of the country as they should see best, not being dependent on the minister of the day for subsistence, as they otherwise necessarily would be. This principle was laid down broadly in 1777, by Mr. Fox, who, on the 9th of May of that year, and on the question of the grant to the Dukes of Gloucester and Cumberland, made use of these expressions:

> "It had been always the policy of this country to make suitable provision for the different branches of the Royal Family, to render them independent of ministers, and bind them by interest and sentiment to preserve that constitution under which they enjoy such permanent and solid advantages."

He agreed entirely in that opinion, which he thought conformable to wise policy. He had differed as to the amount of the provision proposed on some occasions of this kind, but that was not the question now. He hoped the House was not about to follow the bad precedents formerly set in granting allowances to persons connected with the royal family. Her Majesty, in her message to the House declared that the many proofs which the House of Commons had afforded of their affectionate attachment to her person, left her Majesty no doubt of their readiness to make a suitable provision for her Royal Highness on this occasion. He thought her Majesty might be perfectly satisfied, from the records of the journals of Parliament, that that House had always been very liberal, and he would say, highly profuse in many of these grants. If he approved of grants being made to the princes, it was for a specific object; but he did not approve of pensioning all the connections of the Royal Family, however distant they might be. Parliament had sanctioned the further step of allowing the princes additional sums on their marriage, for the expenses of any family that might arise from that marriage. When the Duke of Cambridge married, 6,000*l.* a-year was added to his allowance, to provide for the expenses that might arise from that marriage. It was true there was an exception in the case of the Duke of Cumberland. When a proposition was made to grant the same sum to that royal duke, the House of Commons rejected it. He would not say from what motive, but immediately afterwards the House came to the resolution that, though they would not entrust the Duke of Cumberland with 6,000*l.*, as as they had done his brother the Duke of Cambridge, they would grant 6,000*l.* to the Duchess of Cumberland, if ever she should require it, to be placed beyond the control of the Duke. He therefore held that they were bound to come to this conclusion, that the money granted to the princes of the Royal Family, ought to have reference to their position in the country, and to enable them to provide for the family. The principle had been laid down that public officers and the princes of the blood should be paid liberally, and he held that in both cases the parties were bound to provide for their own families, out of those allowances, and not throw them for support on the public. What were the limits to which these grants were to extend? There was the Princess Mary, the sister of the Princess Augusta, and Prince George, why should they not be included in the grant? Why were not their children and grand children to be provided for? It would be found that Parliament had only been called upon for a grant in cases where the parties stood in very near relation to the succession to the Throne. Why should the children of the Duke of Cambridge be treated differently from those of the Duke of Sussex? He found, by the finance accounts of the year, that a payment was made to his Serene Highness the Prince of Mecklenburg Strelitz, a relative, he believed, of the young prince in question, who was in the receipt of a pension of 2,000*l.* a year. He asked, for what purpose had this been granted? There was no record of it in the debates of that House, for the grant was made in the Irish Parliament; but by the act 38 George 3rd, c. 69, the King was enabled to grant an annuity of 2,000*l.* a year, for the life of his Serene Highness, the Prince of Mecklenburgh Strelitz, nephew to the Queen. The act of the 38 Geo. 3rd, c. 69, was introduced into the Irish Parliament of 1798, and was intituled—

> "An act to enable his Majesty to grant an annuity for the life of his Serene Highness the Prince of Mecklenburgh Strelitz, nephew to the Queen."

The act recited that the Earl Camden, by desire of his Majesty, recommended the Parliament to enable them to grant a pension of 2,000*l.* sterling for the life of his Serene Highness the Prince of Strelitz, nephew to the Queen, and then it enacted that—

> "His Majesty may settle 2,000*l.* on the said prince from the 25th of March, 1798, payable out of the Consolidated Fund."

And by section 2, the act was not to restrain his Majesty from

> "Making any other grant or pension, which he may lawfully do, under the provisions of the said act (33 Geo. 3rd), until the whole pension list shall be reduced to 80,000*l.* as the said act mentioned."

He found that this was charged on the Consolidated Fund, although, in consequence of the increase of the pension list, in spite of all remonstrances, an act of 33 Geo. 3rd, had been passed, declaring that no more pensions should be granted in Ireland till the amount was reduced to 80,000*l.* a year, nor in England till they were reduced to a certain sum. Still this act was passed by the Irish Parliament, overruling an act of the British Parliament, being the first time, that he was aware, of an Irish act overruling an English act. Let them see, then, what had been the cost of this grant. The act granted 2,000*l.* a year to his Serene Highness, and it had been received for a period of forty-five years. He had ascertained, what had been the expense to the country between that time and this. In 1798, we were in debt about 400,000,000*l.*; every 2,000*l.*, therefore, which had been paid to the Duke of Mecklenburgh had been borrowed, and it had been borrowed at the rate of 5*l.* per cent; so that from that period to the present, computing the compound interest, the cost to the country has been 335,000*l.* That was the way in which the taxation of the country was increased, and the country itself sacrificed. It was for Ministers to consider whether such circumstances did not render the royal family more obnoxious to the country than anything else. What would be said now if any one rose in the House and proposed a grant of 335,000*l.* to the nephew of Queen Charlotte, or to the nephew of any one else. The grant had lasted many years, and it might last many years more, and might be increased by some 50,000*l.* or 60,000*l.*; yet the House was now called upon to grant to the daughter of the Duke of Cambridge another 3,000*l.* a-year. The father might live long, or he might not. The princess was not to succeed to this grant till the death of her father, but judging from the long life of the family, she might live to enjoy the grant for forty-five years. Every shilling which she received must be borrowed, and if the interest were calculated at 5 per cent the vote which the House was about to give her was upwards of 500,000*l.* The hon. Baronet on the Treasury benches, who was pleased to be very facetious, seemed to doubt that statement; but if the House would agree to his motion, he (Mr. Hume) would call upon Mr. Finlayson, the actuary, to make the calculation. Were they prepared to make a grant of 500,000*l.* on such slender grounds as were then before them? He said that no man, in the circumstances of the country, and in the circumstances in which the lady herself was placed, should consent to such a charge. Even if they intended to be extravagant, they should recollect that they had not the means to provide for it, and a grant would be a violation of the care which the House, as keepers of the public purse, ought to take of the expenditure of the country. He was confident, that if her Majesty knew the condition of the country, she would not have sanctioned such an application as this. The Ministers, therefore, were to blame for it. He had undertaken what was an unpleasant duty; but it must be done. [*Oh, oh!*] If he met with unfair interrupton, he would move that the chairman report progress. He saw the men who were making the interruption, and he would name them. [*Name, name!*] There might be a new class grown up in that House called "young England," which was not known only by the white neckcloths and the white waistcoats, but by other marks which might be pointed out. He said, in all fairness, that even if he were running counter to the opinions of young England, or any other person, he ought to have a full hearing. He could not make this motion without looking back at the Speech of her Majesty at the commencement of the Session, in which she alluded to the distress of the manufactures, and the decline of revenue, as consequences of existing distress; and he said further, that, after the speech of the right hon. Baronet the night before last, on the question of the coal duties, in which he said that such was the state of the finances of the country that he could not even spare 80,000*l.*, they ought not to accede to this grant. If he took the Duke of Cumberland's pension, which ought to be withdrawn, and if he added up a few items which might be saved, he could point out how the 80,000*l.* could be saved, but the chance of that saving ought not to be diminished. On a similar occasion, when a grant to provide additional annuities for the younger branches of the royal family was proposed, and the act of 46 Geo. 3rd was passed, it was seriously opposed. A royal message was brought to this effect:—

> "His Majesty having, by his message of the 8th day of April, 1778, recommended to his faithful Commons to make competent provision for the honourable support and maintenance of the younger branches of the royal family, and in consequence thereof, an act having passed charging certain annuities, for such purpose, upon the aggregate fund of Great Britain; but no provision having afterwards been made in the act by which the several revenues composing the said aggregate fund were transferred to the consolidated fund of Great Britain, for securing the said annuities, by reason whereof the provision so recommended by his Majesty, and carried into effect by act of Parliament, has failed and become ineffectual; his Majesty recommends to the House of Commons to consider of such measures as may be necessary for securing the said annuities upon the consolidated fund, and

his Majesty cannot forbear taking this occasion to express his desire that his faithful Commons will take into consideration the propriety of such increase of the said allowances as the change of circumstances that has since taken place shall appear to have rendered just and reasonable, and that they will make such further provision, in consequence thereof, as the nature of the case shall be found to require."

During the discussion on that bill, on July 9, 1806, some observations were made by an hon. Member, which were extremely apposite to the present question. The hon. Member said,

> "That such a proposition should have been submitted to Parliament, under the present circumstances of the country, and particularly by the noble Lord, so distinguished for the profession of economy, was to him, he confessed, no less a matter of regret than of astonishment. The House in general, indeed, must have been taken by surprise in this proceeding; for nothing had, he ventured to say, ever been brought before Parliament in a similar manner."

And after a few other observations, the hon. Gentleman went on to say:—

> "If the Lords and Commons were, alone, called upon for a contribution of this nature, he would most cheerfully assent to it; but, feeling for the people, who were already so borne down, he could not consent to increase their burdens, particularly upon such grounds as were stated by the noble Mover of this bill."

If ever there were observations more applicable to this case than others, they were those made by the hon. Member who was now a firm supporter of her Majesty's Government. These were the remarks made on that occasion, by Colonel Wood, the present Member for Brecon. Were hon. Gentlemen prepared to put their hands in their pockets and pay this 3,000*l.*? It was easy to deal with other people's money, but if in the circumstances of the country in 1806 they were required to use due caution and care, what ought they to do now? What was now the position of the people and of the finances of the country? Were they flourishing? Besides, this question of the pension list had long occupied the attention of that House. There were probably few now in the House who were aware of the exertions made by hon. Members, principally on that (the Opposition) side of the House, to reduce its amount. It was to the credit of the right hon. Baronet now at the head of the Home Department (Sir James Graham) that he had come forward in 1834, and had limited the amount, and had placed it on intelligible principles. The late Mr. Banks had procured an act to be passed, allowing the Crown to grant pensions for public services, and that act continued till 1834, when he (Mr. Hume) and others found that men possessing 10,000*l.* a-year received 2,000*l.* a-year additional from the public funds. The right hon. Baronet brought in a bill to reduce the number of official pensions one-half, and in order to avoid the possibility of the recurrence of like complaints, the House had introduced clauses in the act of Parliament, providing not only that the pensions should be granted for the public services of the individual but also on account of the inadequacy of his private fortune; and each person applying for a pension was obliged to make a statement in writing of his income. The 4th and 5th of Will. 4th, cap. 24, passed 25th of July, 1834, intituled,

> "An act to alter, amend, and consolidate the laws for regulating the pensions, compensation, and allowances to be made to persons in respect of their having held civil offices in his Majesty's service; enacted by section 6, and whereas, the principle of the regulations for granting allowances of this nature is, and ought to be, founded on a consideration, not only of the services performed by the individual to the state, but of the inadequacy of his private fortune to maintain his station in life: be it therefore enacted, that whenever any person shall seek to obtain any such pension, shall make, in writing, a statement of services, and a declaration that the amount of his income from other sources is so limited as to bring him within the intent of this act."

When this grant, then, was proposed for the children of the Duke of Cambridge, he said that it behoved the House to apply a similar rule. That illustrious Duke had received a large allowance for many years; for eighteen or nineteen years he had been viceroy of Hanover, having an ample income there to keep up his state, and during that time his English income, exceeding 20,000*l.* a year, ought to have accumulated; and he believed it had. He said, therefore, that the principle of the clauses to which he had referred warranted the House in withholding this grant till they should have a declaration from the Duke of Cambridge that he was not able to maintain his own family. How were they now situated? The parent was amply provided for. He had on his marriage received 6,000*l.* a year in addition to his 21,000*l.*; he had also received his military allowance, and he said that after this the Duke of Cambridge ought to be in a condition to maintain his children, and that if he were not, the people of England ought not to be called upon to maintain them. The case was not within the words of the statute, but to the spirit of that enactment he (Mr. Hume) directed the attention of the House. He said, they were bound to support that principle. The amount might be considered trifling; half a million was a trifling sum to many persons, but they should look to the principle. They had laid down the principle that those who were supported by the public money should provide for their family, and they ought to adhere to it. And here he might refer to an observation made the other night by the hon. and gallant Member for Liverpool (Sir H. Douglas) that the property of the Crown had been given up to the public. He wished the gallant Member had all the allowances which had been given up. If the Royal Family had nothing else to look to, " maugre and deep" would be the proceedings at Buckingham Palace. If her Majesty had to maintain the forces and the other payments out of the hereditary revenues, there would be very little remaining for her. No weight could be placed on that argument. It had been scouted when it was first brought forward, but as many Gentlemen still seemed to consider it an answer, he must say that there never was a case in which a more complete mistake had been made. He for one was unwilling to disturb the bargain made with the Sovereign, but it was for the House to make the best of it; and they ought to manage the revenue so as to give the greatest relief to the country. It might be invidious to notice the sacrifice made by this country for royalty, but he must observe, that the payments made to the Royal Family exceeded 700,000*l.* a year, exclusive of the expense of palaces and parks, and the trappings of royalty. He might, if he were disposed, magnify the amount, but it was sufficient for him to know that they had a sum of 700,000*l.* a year and upwards paid to her Majesty and her connections; and then to find that a further demand was made upon the country at a time when the expenses exceeded the income, and when of course the country was in a state of bankruptcy. If the House would only do what the committee on the Civil List had proposed, and make a reduction in the payments under the Civil List, every one of the family of the Duke of Cambridge might be provided for. In the published report, he found the following statement of payments to the Queen and Royal Family in the year ended January, 5, 1843;—

" Queen's Civil List.

Privy purse	£60,000	
Salaries to the household, &c.	131,260	
Tradesmen's bills	172,500	
Bounty, alms, &c.	13,200	
Unappropriated moneys	8,040	
		385,000
Duke of Cumberland	21,000	
Duke of Sussex	21,000	
Duke of Cambridge	27,000	
Duchess of Gloucester	16,000	
Princess Sophia	16,000	
Princess Sophia of Gloucester	7,000	
Queen Adelaide	100,000	
Duchess of Kent	30,000	
Prince Albert	30,000	
King Leopold, part of which is returned	50,000	
		318,000
		£703,000

" N. B. The expense for Windsor, and other royal palaces and parks was to be added to this sum."

He was bound, however, to say, that King Leopold did not receive his 50,000*l.* a year. He did not receive one farthing of it, and he was anxious to make this remark, because a contrary impression existed, and he had during the last week seen a comparison of the king of Belgium with others; by returns made on his (Mr. Hume's) motion, there could be no mistake, and the remark could only have been made for the purpose of maligning that illustrious prince. In every year, up to the year 1840, the returns showed that 35,000*l.* a year out of the 50,000*l.*, had been repaid; the remainder had been spent in keeping up Claremont, and in wages to servants, and not one shilling had gone into the pockets of the King. The committee of the Civil List had recommended many reductions, amounting altogether to 12,000*l.* a year. He was sorry to say, that the House when it passed that bill, and the Government of the day, thought fit to grant the full sum without making these reductions; it was one of the mistakes of the Ministry which he then supported, and he did not fail to remind them of it. Supposing, however, the parent was not able to maintain the Princess, provision might easily be made for her out of the savings that could be effected in the expenditure of the 385,000*l.* granted for the Civil List. He told the right hon. Baronet he would not be acting consistently with his sense of duty, and he believed the right hon. Baronet was anxious to do right, if he persisted in this grant, when the amount might so easily be saved by reductions elsewhere. There were eighteen Lords and grooms in waiting; why not reduce them to twelve? He was afraid that some of them were present. Again, the ladies and maids of honour numbered twenty-four; some might be put aside; and by these and other changes, 30,000*l.* a year might be easily saved. No statement had been made that it was not intended to pension the Princess Mary and Prince George of Cambridge. To what degree were they to descend—children, grand-children, and great-grand-children, if there were any such—did they mean to provide for all of them? The House ought to know that, out of 385,000*l.* appropriated to the Civil List, there were but 175,000*l.* spent in tradesmen's bills. The salaries alone were 130,000*l.* a year; the Civil List committee had recommended a reduction of 12,000*l.* a year in these, and the House of Commons, on behalf of the people, ought to insist that every means should be taken to reduce this expenditure, and that no further grant should be made at the present moment. He found that the amendment he had intended to move did not fully express his meaning, and was not sufficiently intelligible, and he had therefore drawn it up in a different shape. He meant to cast all possible reflection upon the right hon. Baronet opposite (Sir R. Peel) for introducing such a motion at such a time. He was the paid doctor—the responsible adviser of the Crown, and he must excuse him (Mr. Hume) if he laid the whole blame at his door. The hon. Member concluded by moving as an amendment, to leave out from the word "That" to the end of the question, in order to add the words—

"The ample allowance from the public revenue which has been so long enjoyed by his Royal Highness the Duke of Cambridge, should have enabled him to make provision for his children; and that it is neither wise nor just, especially in the present distressed state of the country, and deplorable destitution of the labouring classes, to propose any grant for a dowery to the Princess Augusta Caroline of Cambridge."

The question having been put on the amendment,

Mr. *Liddell* amidst general cries for a division, complained of the invidious nature of the amendment, and of the invidious speech by which it had been introduced, though both were to be expected from the quarter from whence they had proceeded. He had risen to answer the speech of the hon. Member for Montrose, because it seemed to him to require an answer. [*Cries of "Divide."*] If the House would not listen to that answer he could not help it, but he would protest against the amendment and against the language of the mover of it. [*Cries of "Divide."*]

Sir *R. H. Inglis* expressed his regret at detaining Members from a more agreeable occupation than that of listening to him. The House had exhibited some signs of impatience while the hon. Member was speaking; and the hon. Member must not consider him (Sir R. Inglis) uncourteous, if he said that he wished his voice had not been heard at all. He could not hear the speech of the hon. Member for Montrose, even if he had not personally referred to himself, without being desirous to state his views on this case. The hon. Member asked on what pretence the House was called upon to provide for Members of the Royal family? In the first place, he would inform the hon. Gentleman, that the return for which he had moved would give him an answer. In the year 1761, the hereditary revenues of the Crown were exchanged for a fixed annual sum. On a calculation of the receipts of seventy-seven years from the date of the bargain, renewed as it had been subsequently, it appeared that the nation received from the hereditary revenues and from taxes which were appropriated to the Sovereign, 117,000,000*l.*; whereas, the allowances to the Royal family, including certain grants to make up the deficiency on the Civil List, amounted to 69,000,000*l.*; so that, in point of fact, the Sovereign lost and the nation gained 47,000,000*l.* The Sovereign lost 616,000*l.* per annum during seventy-seven years. On the ground, then, that by this bargain the Crown lost certain allowances which would otherwise have been made, he thought any application made by the Crown (he need scarcely say within reasonable bounds), should be entertained with the fullest and most cheerful feeling by that House, when called upon to contribute for the maintenance of the Royal family. The hon. Member for Montrose was wrong in logic, in his history, and in his arithmetic—yes, even in his arithmetic. The hon. Gentleman stated that the value of the annuity proposed to be granted to Her Royal Highness the Princess Augusta of Cambridge, according to the ordinary calculations of the duration of human life, would be half a million of money. He should have thought that the hon. Gentleman and his hon. Friend who held the same doctrine, must have known from any actuary that this was not the case. Let the question be put to the commonest practitioner as an actuary —not one standing so high as Mr. Finlayson—" Given the age of the young lady, twenty-two, what is the value of an annuity of 3,000*l.*, contingent upon the survivorship, in the case of a prince of seventy-two years of age?" [Mr. *Hume:* But you borrow the principal.] The hon. Gentleman had no more right to assume that fact, than he had to deny it. If the value of the annuity was one-tenth part of what the hon. Gentleman had stated, he would undertake to supply the difference.

Mr. *F. Baring* said, the right hon. Gentleman who spoke last was not altogether right, for though it would appear in that return moved for by him that the Crown had lost so much by the bargain, yet there was on the other side to be taken in account many expenses formerly defrayed by the Crown, and which now fell on the country, and which would materially diminish that loss; but he agreed with the hon. Gentleman that, after the Crown had given up its hereditary revenues, and the means which it formerly possessed of providing for the Royal Family, in order to make itself entirely dependent upon the people, the House was bound always to meet a proposition of this kind in a liberal spirit. His hon. Friend the Member for Montrose had stated that the last Civil List committee had made certain recommendations which were never adopted by the Government. His hon. Friend was entirely mistaken. Those reductions had taken place in the salaries of the officers, and the whole of the recommendations of that committee were adopted. The hon. Gentleman had confounded the case of the late civil list committee with that of William 4th. Those recommendations were not then adopted by the Government, because it was with his Majesty a matter of personal honour, his Majesty feeling that he had pledged himself to his officers that their salaries should continue, and to enable him to keep that pledge his Majesty sacrificed a large sum which it was proposed to add yearly to the means of enlarging the royal bounty, preferring to maintain his own views of personal honour to putting any additional sum into his pocket. But in relation to this vote itself, was it or not beyond the line of grants that were hitherto usual? He maintained that it was not. There were cases of parties in a similar relationship to the Crown who had received similar grants. Was it unreasonable? It appeared to him that the grant of 3,000*l.* a-year to the grand-daughter of a Sovereign of these realms, upon her marriage, was a moderate and reasonable grant. There was only one point on which he looked for some explanation from the opposite side. The right hon. Gentleman had very properly proposed that the grant should not come into operation so long as his Royal Highness the Duke of Cambridge was alive. But there was another person who was receiving a pension from this country, the Duke of Mecklenburgh, Strelitz, who received a pension of 2,000*l.* a-year, and he should like to know whether the same principle was to be directed towards him as towards the Duke of Cambridge, viz., that this new grant should be suspended till his pension also ceased to be a burthen on the funds of the country.

Colonel *Wood* should not have spoken but for the personal allusion made to himself by the hon. Member for Montrose, who in that respect was unhappily wrong again, inasmuch as he was not in Parliament at the time, and never made the speech which the hon. Member attributed to him. It was not till 1807, that he entered Parliament, and the speech was made by Colonel Mark Wood. He would add that the cheerful assent of the House to this grant was the only means it had of expressing its grateful sense of the conduct and example of the Duke of Cambridge, more especially for the manner in which he contributed to and presided at the meetings of the charities of this country.

Mr. *G. H. Ward*, being interrupted by cries of " divide," and " question," when he rose, expressed his hope that these obstreperous Gentlemen would not compel him to move, that the Chairman report progress. Was it too much that one of the representatives of the people should state his opinion when a claim was made upon the public purse? The hon. and gallant Member for Brecon had rested his approbation of the vote upon the number of charities to which the Duke of Cambridge subscribed; but he would ask whether that ground had been allowed to avail the late Duke of Sussex, than whom no man was more generous and kind-hearted? The arrangement between the Crown and the people in the opening of the reign of George 3rd, had been referred to, but the truth was, that the Crown had then obtained a most excellent bargain, considering the burthens it was formerly called upon to sustain. There was not a Member in the House, who would not be ready in all possible ways to consult the comfort, and even the splendour of the different branches of the Royal Family, but it ought not to be forgotten, that the Duke of Cambridge had long held the profitable office of Viceroy of Hanover, and that from his own purse he must be as well able to provide for his daughter in marriage as well as any gentleman or nobleman of the land. Looking then at the state of our finances, and at the miserably destitute condition of the lower orders, he put it to the House whether it was fit thus to add to the ornaments, and what he might call, the tinselly part of the trappings of royalty.

Sir *R. Peel.* I stated to the House on a former occasion, and I beg now to repeat, that it was the earnest wish of the Government, for the sake of the public interest, and for the sake of the royal family, to make no proposition with respect to a provision for the Princess Augusta but what should be not merely in conformity with precedent, but which should be ratified by the good sense and general conviction of this House; it was our desire to make that provision which, by the prevailing opinion of the House, should be considered a reasonable and just provision. The hon. Gentleman, the Member for Montrose, has referred to the position of the Duke of Cambridge, and said, that he ought, like any other nobleman, to make provision for his children on their marriage. I must beg him to recollect that his Royal Highness is a Member of the royal family, having an English dukedom fixed in his family, and having merely an annuity to depend on for the maintenance of that dignity; there is, therefore, in that respect, a material difference between the position of his Royal Highness, and those who have permanent sources of income to support the rank they hold in the country. No doubt the amount received by his Royal Highness is large, but are hon. Gentlemen aware of the demands upon it? I am satisfied, if they bear in mind, what it is greatly for the public advantage should be the case—if they bear in mind the generous devotion of the time of the royal family to the promotion of public objects, and the demands which are made on those funds which the liberality of Parliament has given them for the promotion of charitable objects, they will readily believe, that although nominally the amount of their income is large, it is subject to very great deductions, that is a marked distinction between the case of a royal Duke, with a dukedom transmitted to his family, and that of others in a position of society nearly corresponding, but not so exalted, who have the good fortune to possess permanent means not only of supporting their rank, but also of providing for their families. It is a most important consideration, whether we are extending in this case the principle which has heretofore been acted upon. More than one hon. Gentleman has asked—"Is this the principle which you mean to extend to all the branches of the royal family? The royal family has numerous connexions, and do you mean by this precedent to establish a rule to be applied to all the connexions of the royal family?" My answer to that question is this—we are now providing for the case of a royal princess, who is the granddaughter of one Sovereign, the niece of two, and first cousin of the reigning Sovereign, and we propose for her an annuity of 3,000*l.*, to take effect on the death of her father, the Duke of Cambridge. The case, therefore, is really a peculiar one, so far as connexion with the royal family is concerned; and I beg the House to bear in mind, that I propose, that the annual provision of 3,000*l.* should be for the life of her Royal Highness, and that the bill will not include any provision by which it shall be continued to her descendants. I think, therefore, it is quite clear, that in this case the rule is not carried in the slightest degree beyond the principle which I believe has been applied in former cases, and that you are not therefore establishing any new precedent which can by possibility be applied to remoter connexions of the Sovereign. The very fact, that the provision is made for the life of the Princess Augusta is strong proof, that there is no intention to establish such a precedent. Sir, although I feel that the House will not ask me to enter into minute details, this is a case on which the Government were bound to take into consideration both the position of the Sovereign, and the peculiar circumstances of the royal family. The Government have thought themselves entitled to take these matters into consideration, they have made such inquiries as they felt bound to make, and after those inquiries they have come to the conclusion, that this provision is not more than is required, and it is one which appears to them just and moderate in itself. The hon. Gentleman, the Member for Montrose, began his speech, by saying,—

> "I will refer to preceding precedents, and I will ask whether you have any authority from these preceding precedents to make this grant?"

I was very glad to hear the hon. Gentleman make that appeal, for if he does attach weight to precedent he will be bound to give his vote in favour of my motion. I will first take the princesses of the royal family, daughters of George 3rd, the Duchess of Gloucester, and Princess Sophia; in each of those cases the provision was 16,000*l.* per annum; and in the case of a princess more remotely allied to that Sovereign than the Princess Augusta, Princess Sophia of Gloucester, the provision was 7,000*l.* In this instance the provision is only 3,000*l.* With respect to the pension of 2,000*l.* enjoyed by the Duke of Mecklenburgh, I believe it was granted to him in consequence of events arising out of the French Revolution, when he was compelled to quit his own territories, and if the position of that family had been such as to dispense with the necessity of the provision, I should have thought it my duty to take it into consideration on the present occasion; but after the inquiries we instituted on that head, I must say I did not consider the position of that family such as to dispense with the allowance. Mr. Fox, in the speech to which the hon. Gentleman has referred, founded his vote in favour of provision for the royal family on high constitutional ground; he said,—

> "It was always the policy of the country to make suitable provision for the different branches of the royal family; it rendered them independent of Ministers, and bound them by interest and sentiment to appreciate the constitution under which they enjoyed such permanent and solid advantages. On the other hand, the royal family, in narrow and dependent circumstances, were compelled to look up to the Throne for protection and support, and from the nature of that support, they were liable to become instruments of the Crown in forging chains for the people."

I hope the House will bear in mind the position of the law at the present moment compared with that of former Sovereigns. with reference to the means of providing for members of the Royal Family. It may have been perfectly right to place restrictions on the Crown, with respect to the granting of pensions, but when you judge of the reasonableness of this provision, it is not right that you should exclude altogether a contrast between the limited power of the Crown now, and that which preceding Sovereigns possessed. I am not impeaching the policy which restricted the power of the Crown, but that very restriction may make it necessary for the Crown to apply to Parliament in cases where, had the power previously possessed still existed, no such application would have been made. Up to a very recent period, there was a very large pension list voted both in this country and in Ireland. In this country it amounted at one time to 140,000*l.* per annum, and the provision of law was that in case pensions fell in, the Crown had the power of granting new pensions, provided they did not exceed 90,000*l.* a-year. The Crown, therefore, had previously the power of granting pensions—in case pensions formerly granted fell in—to the extent of at least between 4,000 and 5,000*l.* per annum. So with respect to Ireland; there the pension-list amounted to a very considerable sum, and the same power existed of keeping up the pension list to a certain amount. The Crown, then, had the power of granting pensions at its discretion to an amount not less than between 6,000*l.* and 7,000*l.* a-year. But Parliament interfered, Parliament imposed restrictions on the Crown, and the whole power the Crown now possesses is to grant annually 1,200*l*. Even over that sum the Crown has not absolute discretion; it must be appropriated to the reward of either personal service to the Crown, public service rendered to the country, or eminent literary or scientific merit. I believe that the Crown in the case of every pension granted out of that limited sum of 1,200*l*. has most faithfully, not literally and technically, but in the true spirit and intention of Parliament adhered to the obligations imposed by the Legislature. The whole sum—I repeat it—over which the Crown has any control is 1,200*l*., which is solely applicable to the reward of public service and the encouragement of literary exertion. Under all these circumstances, therefore, the Crown having parted with its hereditary revenues, and not having the power it formerly had of making permanent provision for the members of the Royal Family out of those revenues, I cannot think that the House will be reluctant to affirm the proposal I have made. Whatever is an act of favour properly belongs to the Crown, whatever is objectionable ought to devolve upon the Minister, and I venture to assert, if I had informed her Majesty that the value of this annuity, granted to the Princess Augusta was 500,000*l*., I am perfectly certain her Majesty would have rejected the proposition. Even if I had supported myself on the great arithmetical authority of the hon. Member for Montrose, I doubt whether her Majesty would have credited it. And if any rumours should reach to a certain quarter that this annuity of 3,000*l*. is equivalent to a grant of 500,000*l*., I should be obliged to correct the erroneous impression which the authority of the hon. Gentleman might create, by stating that he had only multiplied by 15 the real value of the sum. I shall not quarrel with the hon. Gentleman who has, with his accustomed good humour used expressions with regard to me which, although somewhat harsh, it is the duty of a Minister to bear as part of his public duty, and with what equanimity he can. I shall leave the vote to the decision of the House, earnestly hoping (without entering into the details to which I am sure the House will not invite me) that I have proved that her Majesty's Government have not made this proposition without those inquiries which it was their duty to make—that considering the peculiar position of her Royal Highness, and her close connection with the Throne, we are not establishing an inconvenient precedent—and, although the circumstances of the country are such as to make hon. Members jealous of any grant not consistent with moderation and reason, yet I trust the most jealous of the interests of their constituents may grant to the Princess Augusta, dependent on the death of her father, an annual provision of 3,000*l*.

The House divided on the question, that the words proposed to be left out stand part of the question:—Ayes 223; Noes 57: Majority 166.

List of the AYES.

Ackers, J.
Acland, Sir T. D.
Acton, Col.
Adare, Visct.
Adderley, C. B.
Allix, J. P.
Antrobus, E.
Archdall, Capt. M.
Arkwright, G.
Ashley, Lord
Baillie, J. jun.
Baillie, Col.
Baillie, H. J.
Bankes, G.
Baring, hon. W. B.
Baring, rt. hon. F. T.
Barneby, J.
Barrington, Visct.
Baskerville, T. B. M.
Beckett, W.
Bell, M.
Bernard, Visct.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bradshaw, J.
Broadley, H.
Broadwood, H.
Brownrigg, J. S.
Bruce, Lord E.
Buck, L. W.
Buckley, E.
Buller, Sir J. Y.
Bunbury, T.
Burrell, Sir C. M.
Burroughes, H. N.
Cardwell, E.
Carew, hon. R. S.
Cartwright, W. R.
Cavendish, hn. C. C.
Charteris, hon. F.
Chelsea, Visct.
Chetwode, Sir J.
Christopher, R. A.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Clive, hon. R. H.
Codrington, Sir W.
Colborne, hn. W. N. R.
Compton, H. C.
Connolly, Col.
Corry, right hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Cresswell, B.
Cripps, W.
Damer, hon. Col.
Darby, G.
Denison, E. B.
Dickinson, F. H.
Disraeli, B.
Douglas, Sir H.
Douglas, Sir C. E.
Douro, Marquess of
Drummond, H. H.
Duffield, T.
Duncombe, hon. A.
Dungannon, Visct.
Du Pre, C. G.
East, J. B.
Eaton, R. J.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Farnham, E. B.
Fellowes, E.
Ferguson, Sir R. A.
Fitzroy, hon. H.
Flower, Sir J.
Follett, Sir W. W.
Forester, hn. G.C.W.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Gladstone, Capt.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Gore, W. O.
Gore, W. R. O.
Gore, hon. R.
Graham, rt. hn. Sir J.
Granby, Marquess of

Greenall, P.
Grey, rt. hon. Sir G.
Grimston, Visct.
Halford, H.
Halyburton, Lord J. F.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hardy, J.
Heneage, G. H. W.
Henley, J. W.
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A,
Hodgson, F.
Hope, A.
Hope, G. W.
Howard, Lord
Hughes, W. B.
Hussey, A.
Hussey, T.
Ingestrie, Visct.
Inglis, Sir R. H.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, Sir J.
Joliffe, Sir W. G.
Kelburne, Visct.
Kelly, F. R.
Knatchbull, rt. hn. Sir E
Knight, H. G.
Knight, F. W.
Lambton, H.
Legh, G. D.
Liddell, hon. H. T.
Lincoln, Earl of
Listowel, Earl of
Lockhart, W.
Lowther, J. H.
Lowther, hon. Col.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Mackinnon, W. A.
Maclean, D.
McGeachy, F. A.
Manners, Lord J.
Marsham, Visct.
Maxwell, hon. J. P.
Meynell, Capt.
Miles, W.
Mitchell, T. A.
Mordaunt, Sir J.
Morgan, O.
Mundy, E. M.
Murray, C. R. S.
Newport, Visct.
Nicholl, rt. hon. J.
Northland, Visct.
O'Brien, A. S.
Owen, Sir J.
Packe, C. W.
Paget, Col.
Paget, Lord
Pakington, J. S.
Palmerston, Visct.
Patten, J. W.
Peel, rt. hon. Sir R.
Pennant, hon. Col.
Pigot, Sir R.
Plumptre, J. P.
Polhill, F.
Pollock, Sir F.
Pringle, A.
Rashleigh, W.
Rose, rt. hon. Sir G.
Round, J.
Rushbrooke, Col.
Russell, Lord J.
Russell, C.
Ryder, hon. G. D.
Sandon, Visct.
Scarlett, hon. R. C.
Seymour, Sir H. B.
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Smith, A.
Smith, rt. hn. T. B. C.
Smyth, Sir H.
Smollett, A.
Somerset, Lord G.
Sotheron, T. H. S.
Stanley, Lord
Stanley, E.
Stewart, J.
Stuart, W. V.
Stuart, H.
Sutton, hon. H. M.
Taylor, T. E.
Thesiger, F.
Tollemache, J.
Towneley, J.
Trench, Sir F. W.
Trevor, hon. G. R.
Trollope, Sir J.
Turnor, C.
Vane, Lord H.
Verner, Col.
Vernon, G. H.
Vesey, hon. T.
Vivian, J. E.
Waddington, H. S.
Wall, C. B.
Welby, G. E.
Wemyss, Capt.
Winnington, Sir T. E.
Wood, Col.
Wood, Col. T.
Worsley, Lord
Wortley, hon. J. S.
Wortley, hon. J. S.
Wynn, rt. hn. C. W. W.
Young, J.

TELLERS.

Freemantle, Sir T.
Baring, H.

List of the Noes.

Aglionby, H. A.
Aldam, W.
Barnard, E. G.
Berkeley, hon. G. F.
Berkeley, hon. C.
Blewitt, R. J.
Bowes, J.
Bowring, Dr.
Brocklehurst, J.
Busfeild, W.
Cobden, R.
Collett, J.
Corbally, M. E.
Crawford, W. S.
Dennistoun, J.
Duke, Sir J.
Duncan, G.
Duncombe, T.
Dundas, Adm.
Ellice, E.
Evans, W.
Ewart, W.
Fielden, J.
Ferguson, Col.
Forster, M.
Gill, T.
Heathcote, J.
Hutt, W.
Langton, J. H.
Leader, J. T.
M'Taggart, Sir J.
Marsland, H.
Martin, J.
Mitcalfe, H.
Morris, D.
Muntz, G. F.
Murphy, F. S.
Ogle, S. C. H.
Phillpotts, J.
Plumridge, Capt.
Pulsford, R.
Redington, T. N.
Roche, Sir D.
Roebuck, J. A.
Scholefield, J.
Scott, R.
Stansfield, W. R. C.
Strickland, Sir G.
Strutt, E.
Tancred, H. W.
Thornely, T.
Trelawney, J. S.
Villiers, hon. C.
Wakley, T.
Wawn, J. T.
Williams, W.
Wood, B.

TELLERS.

Hume, J.
Ward, J.

Main question agreed to.
Resolution to be reported.

Coroners.] Lord *Worsley* moved the second reading of the Coroners Bill.

Mr. *Barneby* opposed the bill, as having a tendency to increase the county rates which were already very onerous. He moved that the bill be read a second time that day six months.

Lord *Worsley* had purposely abstained, in the absence of the noble Lord, the Member for South Lancashire (Lord F. Egerton, from entering into a discussion at this stage of the bill; at the same time he had not offered any opposition to the hon. Gentleman stating his objections; and having done so, he hoped the hon. Gentleman would allow the bill to pass the second reading.

The *Attorney-general* considered the bill a great improvement of the present law, and he hoped it would be allowed to be read a second time.

Sir *James Graham* had agreed on the part of the Government not to oppose the second reading of the bill, but he had reserved to himself the power to consider its provisions, especially in respect to any increased allowance to the coroners and other officers. On the whole, he thought useful amendments might be introduced as to the jurisdiction of the coroners, if the bill were allowed to go into committee.

Mr. *Barneby* withdrew his amendment.

Bill read a second time.

House adjourned at half-past eight o'clock.

HOUSE OF LORDS,

Thursday, June 15, 1843.

MINUTES.] BILLS. *Public.*—$1^{a.}$ Regulation of Charitable Pawn or Deposit Offices; Wheat, etc. Canada.

Private.—$1^{a.}$ Topsham Improvement; Aberdeen Harbour; Paisley Municipal Affairs; Mildenhall Drainage.

$2^{a.}$ Plymouth, etc. Roads, Carriages, and Boats Regulation.

Reported.—South Eastern and Maidstone Railway; Burry Navigation; Wexford Harbour; Chalgrove Inclosure.

$3^{a.}$ and passed:—Marquess of Abercorn's Estate; Birmingham and Gloucester Railway; Saltcoats Harbour; Edinburgh and Glasgow Union Canal.

PETITIONS PRESENTED. By Viscount Lorton, from Dublin, against Repeal.—From Huddersfield and Leyton, in favour of Church Extension.—From Protestant Society at Dublin, for Inquiry into the Queen's Prison.—From Listowell, against the Irish Poor-Law.

ARCHDEACONRY OF ARMAGH.] Lord *Monteagle*, in moving for,

> "A copy of the instrument appointing the present Archdeacon of Armagh; and a copy of any orders or acts of privy council in Ireland, for disuniting the parishes forming the archdeaconry of Armagh; also copies of any memorials or letters which may have been addressed to the Irish government on the subject of the severance of the union of parishes forming the archdeaconry of Armagh, and of the answers thereto; and also return of any union of parishes in Ireland disunited under 3rd and 4th Will. 4, c. 37, s. 124."

said, that the question which he meant to submit involved a large and important principle—no less than the rule by which Government meant to dispense Church patronage in Ireland. No question relative to Ireland had been more discussed in Parliament than the Union of Sees. In early times, when the Church was governed more on a secular than on an ecclesiastical principle, the union of large masses of church benefices was much more frequent than could now be attempted. So long ago as the time of Bishop Bedell a desire was manifested to abolish pluralities. That right reverend person said,

> "It is necessary to diminish pluralities, as far as it can be done, in the Irish Church. I find myself, however, reproving pluralities in others, whilst I continue to be a pluralist myself. I object to a clergyman who holds two benefices, but do I not, at the same time possess a second bishopric myself?"

He resigned his second bishopric, because he considered the retention of it to be inconsistent with his principles, and impolitic as it regarded the interests of the Church. Sir J. Newport said, April 14, 1825,

> "The Primate of Ireland had stated, in papers laid before the House, that the union of parishes might rank amongst the greatest defects of the system by which it was governed."

Mr. Goulburn also said, February 16, 1824,

> "With respect to pluralities, the subject has not escaped the Primate of Ireland, who fully felt the inconvenience of pluralities in every instance, and he laid down a rule that when the union was dissoluble, the occupant was not allowed to take any other."

Sir John Newport moved a resolution on March 4, 1830, to the effect,

> "Pluralities and unions had been introduced, to the great injury of the most deserving."

Lord F. L. Gower, moved as an amendment,

> "For a commission to inquire into the state of parochial benefices, with the view to ascertain how far the the same consist of separate or united parishes, and to report, in case of unions, on the possibility or fitness of dissolving such unions at any future time."

The commission was then appointed

> "To report in the case of unions the authority under which they have been effected, the state thereof, and the possibility or fitness of dissolving such unions."

And their report refers to 5th Geo. 4th, c. 80, for diocese of Down and Connor, and states that,

> "Following this precedent, we have accordingly, in the like cases which have come under our observation, recommended a similar disappropriation, which appears to us to have the twofold recommendation of providing for the officiating and laborious clergy and doing away with sinecure benefices. This should be done even where there is no church in the separate dioceses, and temporary provision made for divine worship. Of 110 unions in Armagh, sixty-one recommended to be dissolved."

In July 1832, Mr. Goulburn said,

> "The report states that the want of sufficient income to maintain the clergymen upon some livings was caused by the vicarial and rectorial tithes being appropriated to different incumbents, and they recommended the disappropriation of such tithes, with the two-fold

object of making a better provision for the resident clergy and doing away the sinecures of those who were not resident. Livings produced 94*l.*, 99*l.*, 100*l.*; rectorial tithes, 1,600*l.* a-year; Down parish, 1,200*l.* It was distinctly recommended that at the next avoidance of the deanery each curate should become rector."

Mr. Stanley then pledged himself to a bill in the following Session. Accordingly, on February 22, 1833, Mr. Goulburn asked Mr. Stanley,

"Whether it was his intention to give effect to the recommendation of the commissioners respecting the deaneries of Down and Raphoe, and when a bill would be introduced."

Mr. Stanley stated,

"That a measure would be brought forward, the delay being from an expectation that a clause might be introduced into the Church Temporalities Act."

Ultimately the 3d and 4th Will. 4th, c. 37 was agreed to. It recited:—

Sec. 124. And whereas several parishes, or the tithes and glebes thereof, are appropriated or united to certain archbishoprics, bishoprics, deaneries, and archdeaconries, and it is expedient that the same should be disappropriated, disunited, and divested out of such archbishoprics, bishoprics, archdeaconries, &c.; and vested in the respective vicars or curates discharging the duties of the several parishes, &c. &c. Be it enacted, that it shall and may be lawful for the Lord-lieutenant and his Majesty's council, in the case of the deaneries of Down and Raphoe, when they shall think fit, and in the case of any archbishopric, &c., by and with the consent of such archbishop, &c., or whensoever such archbishopric, bishopric, deanery, or archdeaconry, shall become vacant, to disappropriate any rectory, vicarage, tithes, &c., from such archbishopric, &c., so that the vicarage or perpetual curacy shall form a separate parish. Proviso where the vicarage, &c., has been already augmented."

In 1834, a vacancy occurred in the Deanery of Down, when Mr. Goulburn asked,

"Whether any order in council had issued for divesting the present Dean of Down and Raphoe of the tithes which belong to those deaneries."

Mr. Littleton replied,

"I believe no order has as yet been issued; the whole matter is still in train."

Then, on March 11, 1834, Mr. Goulburn moved,

"An address to the Crown, to carry into effect the recommendation of the commisson in respect of the Deanery of Down and Raphoe."

He said on that occasion,

"I am called on by the duty I owe to the Established Church and to my own character, not to shrink from this question, giving to eleven separate parishes adequately paid resident incumbents, instead of suffering them to remain, as at present, united for ecclesiastical purposes, but imperfectly cared for as regards the cure of souls. When the Duke of Wellington was First Minister, it was proposed by the Government of that day no longer to leave the question of these unions to be decided by the separate merits of each, to be provided for by a separate bill, but to take a general view of the whole question; and for that purpose a commission was appointed consisting of a number of prelates and the first legal authorities. In their report the commissioners went into a general review of the evils which arose from the establishment of the unions of parishes in Ireland, and they suggested a mode by which they thought those evils might be, if not altogether averted, at least in a great measure alleviated. I never entertained the least doubt that the King's Government, of whosoever it might be composed, would feel an anxiety to give immediate effect to the recommendation it contained, and I did not suppose the new dean accepted his appointment on any other terms or conditions than those of adopting the recommendation of the report, and till that recommendation could be carried into effect, of voluntarily acting on its suggestions. More than nine months have passed since the passing of the act which put it in the power of Ministers to proceed at once to the correction of the abuses in the Church. In one of the parishes, there is a growing town, with a considerable Protestant population—Strangford. I say, that every day during which there has been a delay in providing for the ministers of those several parishes, the adequate income to enable them to discharge the duty they owe their parishioners of being resident among them, every day's delay is of serious injury to the cause of the Protestant Church in that part of the country, and to the cause of the Protestant Church generally."

Bearing in mind the principles here laid down, it was inconceivable that the Government should have departed from them in the present case. A vacancy was created, not by the death of the party, but by the act of the Government in the promotion of the Archdeacon of Armagh to the bishopric of Meath. In place of dividing the livings consequent on that change, both had been given to one gentleman. It might be said that the two parishes were unimportant, that there were few Protestants, and that the income was so small to be below the acceptance of a clergyman. The facts were directly opposed to the hypothesis suggested. The two parishes he alluded to were Currental and Aghaloo. The following was an account of their dimensions, population, and the tithes which belonged to them.

Dimensions:—Currental	4½	Irish miles by	3½
Aghaloo	5½	,,	4½
The whole union	9	,,	4¾

Towns:—Currental—Aughacloy	1,672	inhabitants
Aghaloo—Caledon	857	,,

11,500 acres in the union.

	Currental.	Aghaloo.
Population:—Established Church	1,492	2,831
Roman Catholic	1,947	3,491
Presbyterian	2,314	4,265
Other Sects	24	58
	5,753	10,645

Churches, in both parishes, five miles apart.

Income:—Currental—Tithes	£398	
Glebe	786	526 acres.
Aghaloo—Tithes	609	
	£1,793	
Net	£1,642	

Curate of Aghaloo	£50	by Archdeacon
	15	Glebe
	35	From first fruits.
	£100	

He should only state in addition, from the ecclesiastical report on the Archdeaconry of Armagh.

"1. The dissolution of the union of Currental and Aghaloo is practicable. 2. The great extent of the parishes, as well as the sufficiency of each to support an incumbent, renders a dissolution of the archdeaconry fit and desirable. 3. A total dissolution is recommended, each parish forming a separate benefice. The disunion to take place on the next avoidance of the archdeaconry. 4. The perpetual curare of Aghaloo to become rector of the parish, and to be endowed with the tithe thereof."

He thought it would be a much better provision to divide these parishes, so that one clergyman should get 500*l.*, and another 500*l.*, instead of the arrangement by which the Archdeacon of Armagh received 900*l.*, and left a large parish to a curacy of 100*l.* a-year. They were led to expect nothing but the most uncompromising discharge of duty by the present Government, according to the principles laid down in the report of the commissioners. He had no personal interest in this subject, as he was unknown to the parties; but he could not help thinking that this patronage was bestowed without the cognisance of the Government here.

The Duke of *Wellington:* in the few observations which he should address to their Lordships, would advert, in the first place, to the observations made in the latter part of the noble Lord's speech. It was perfectly true that he had no knowledge, and he believed the Government here had no knowledge, of any arrangement of this kind having been made; and he could also state that when the commission was originally issued, it was the decided intention of those who suggested it to carry its recommendations into execution. The noble Lord seemed to think that there was something suspicious in this case. Nothing of the kind. The individual who had been appointed archdeacon of Armagh was known to the public and the Church only by his merits as a parochial clergyman, and for his standing in the university of Dublin. But he was known on no other ground whatever. He was connected with no influential family in Ireland. He was Rector of Inniscorthy, in the county of Wexford, when this vacancy occurred, and it being considered important that a man of merit should fill it, this individual was selected, for no reason whatever except on the score of his qualifications. The noble Lord seemed to think that an archdeaconry in Ireland was not so important an office as in this country. He had reason to believe that the Archdeacon was a most important officer in the Administration of the duties of this particular diocese of Armagh. We had had some discussions lately on the subject of the Church of this country, and had seen the importance attached to the duties of archdeacon. He could not admit, therefore, that it was unnecessary that there should be in this important diocese a clergyman to fill this office who was distinguished for his conduct and learning. He would tell their Lordships what the difference was between the present case and that of the deanery of Down. The dean of Down was appointed a very short time after the reception of the report of the Irish ecclesiastical commissioners. He was not a clergyman taken from a parish in another part of the country solely on account of his merits as a clergyman. He was the son—he did not mean to say anything against him in any way whatever—but he was the son of the Lord Chancellor of Ireland, a person, by-the-by, who could not be expected to have been ignorant of the report of the commission; but, on the day when it was made, the hon. and rev. gentleman was appointed to the deanery of Down, and no arrangements were made for the severance of the united parishes in the deanery

The case of Down was a mere political arrangement; the other related to a highly respectable, but an obscure man — he meant obscure in point of family and connection. Two such appointments could not be put upon the same footing. The noble Lord opposite had adverted with approbation to the conduct of the reverend head of the Irish Church, and had stated that if a vacancy had occurred by death, that that reverend person would have appointed a fitting individual to supply the vacancy, and would have urged the severance of the parishes, and that if he had to make arrangements for filling the archdeaconry in his diocese, he would have made such arrangements as would be most for the interest of the Church, and, therefore, most for his own honour. The Lord Primate had represented the expediency of making a severance of the union, but after the choice had been made of the person to fill the situation, considering what the condition of the benefice was at the time the most reverend Prelate had consented to its being held as a united benefice, instead of being severed. He should be obliged to trouble their Lordships with some of the details relating to the circumstances of the case, as it was a curious one, and he could not, without entering into such detail, explain how the question stood. The noble Lord had talked of this benefice as it stood at the period at which the report was made by the Irish ecclesiastical commissioners. He had stated it to be worth, united, upwards of 1,774*l.* Since then, however, a different arrangement had been adopted, which had reduced the amount very considerably. Indeed, the total amount of the revenue of the benefice at present did not amount to much more than one-half of the original sum. The original amount was 1,774*l.* Since it was payable, a portion of it, resulting from tithes, had been reduced, leaving the amount 1,547*l.* It was again reduced to 1,145*l.*; and next came another deduction under the Church Temporalities Act, by which the total amount was cut down to 981*l.* 7*s.* That was the present amount of the revenue of the benefice. The Lord Lieutenant was required to appoint a person to perform the duties of the archdeaconry of Armagh. He had to deal with these united parishes with an income of 981*l.*, and the question was, whether it was most advisable to appoint two clergymen, with incomes of 450*l.* each, to the two parishes forming the benefice, or whether it was most advisable to give the person who held the office an income of 981*l.* for the performance of duties which the commission stated should be recompensed by an annual sum of 1,000*l.* The noble Lord had stated that there was one curate appointed to the parishes, with a salary of 100*l.* per annum, for the performance of clerical duties. Now he had an account in his hand of not less than five curates employed in these parishes, besides the archdeacon. Under these circumstances, could it be contended that this was a case of the same description as that of Down? To say so was quite erroneous. The noble Lord had moved for papers, to the production of which he had no objection. He had no objection to let the House see how the entire matter stood, but he desired that their Lordships would not leave the House under the impression that the Lord Lieutenant had been guilty of any dereliction of duty. He had acted as he had deemed best for the interests of the Church in making the arrangements he did make, and in selecting the clergyman he did select, and who was appointed solely on account of his merits as a clergyman.

The Marquess of *Lansdowne* said, that his noble Friend, in bringing forward his motion, had undervalued the importance of the case when he stated it to be a subject in which he was not personally interested. The parties who were interested in it were the public, the country at large, but, above all, the Church of Ireland, as the principles and interest of that Church were recognised and stated by its authorities, speaking through the words of that commission which lay on their Lordships' Table, a commission issued by her Majesty's Government, in pursuance not only of speeches, but of recorded resolutions of Parliament. When this subject was under discussion in the House of Commons, it was not upon the occasion only to which his noble Friend near him, and afterwards the noble Duke, had adverted, that of the deanery of Down, but on repeated occasions—that it was asserted by all men, and by no man more strongly than the right hon. Baronet at the head of the Government, that the inherent defects of the Church lay in these unions. Repeated propositions connected with the Church were brought forward in the House of Commons, and there was no one of these occasions on which the right hon. Baronet alluded to did not state that opinion. Did the right hon. Baronet stop there? No; he pledged himself as a man, on every occasion to contribute to the dissolution of these unions. In consequence of such sentiments so expressed being echoed from both sides of the Houses of Parliament, a commission was appointed —of which let it not be said, as of other commissions, that it was composed of persons either hostile in spirit, or secretly adverse to the doctrines or the discipline, or, if they pleased, to the wealth and revenues of the Church of Ireland—no, it was a commission composed of the great authorities of that Church, with the primate of the Church at its head, and what were the opinions and sentiments of this commission? They were these:—

> "That they had thought it their duty to apply their minds to the consideration of how many of these unions could be dissolved—that there were unions which presented difficulties to such dissolution—that they were sorry to be obliged to report that in many instances these difficulties were such that they could not recommend a division to take place, but that in a great number of cases they were prepared to say that it should take place."

And, to give greater effect to that recommendation, they proceeded in detail, case by case, and circumstance by circumstance, to point out in each particular instance what were the circumstances that made that dissolution either imperatively necessary, or, at all events, greatly expedient for the interests of the Church. They proceeded with these cases, and with respect to the particular case now under discussion — a case, he might remark, which was the first that had occurred since the accession to power of the present Government which would enable them to carry into effect their own declared intentions, to apply their own principles with respect to this particular case, it was one in which the commission reported *seriatim* briefly, but distinctly and expressly, as follows:—

> "Of this union a dissolution is practicable; the extent of the parishes, and the sufficiency of each to support an incumbent;" (a fact which he did not think the noble Duke would have denied—for even if the parishes were to be so separated they would be worth twice or thrice the average value of each benefice in Ireland); but to go on, the commission continued to state that these facts "render a dissolution of this union fit and desirable."

And they then stated that a "total dissolution was by them recommended." How was he to reconcile any doubt upon the subject with the declarations of the right hon. Baronet, the First Lord of the Treasury? He could go through debate after debate in which that right hon. Gentleman had recorded his opinions upon the subject. He would take one or two of these. In the year 1835 a great, general, and important debate took place in the House of Commons upon the then situation, interests, and prospects of the Church of Ireland. What on that occasion was the language of the present Premier? He quoted it with less reluctance, because on referring to the speech he found that the right hon. Baronet had done him the honour of quoting a former speech of his at considerable length. In that speech the right hon. Gentleman stated:—

> "What I object to in the Church of Ireland is the system of the union of parishes."

Now observe how he went on:—

> "I think that whenever you make a reform in the Church, you should sever these unions, and constitute each parish the site of its parochial government."

The right hon. Baronet did not mean the appointment of curates with 100*l.* a year, but he meant that of a competent clergyman, adequately endowed, making each parish a seat of parochial government. He then said:—

> "I declare I should have thought that if your object and intentions had been to afford a remedy for existing evils in the Church, you would have severed the unions into these component parts, and have allotted a separate and independent minister to each."

These unions, then, were, according to this, among the great evils which had haunted the Church of Ireland. The commission appointed to inquire for the means of remedying them pointed out cases where the evils of union might be removed. Sir Robert Peel was now in power; the noble Lord opposite was in power; and yet the very first of these cases which arise under their Government was taken out of the principle, and the deliberate and express recommendations of the commission were set aside. And on what grounds?—that such was, he presumed, the poverty of the Church of Ireland. So insufficient were the means which it presented of rewarding distinguished merit, that—assuming that the rev. Mr. Stokes was what he was represented to be, a most meritorious person, eminently able to discharge the duties of an archdeacon of the Church of Ireland—no other means were open, save those furnished by the archdeaconry of Armagh, for adequately rewarding him, without violating the pledges of the Prime Minister, and the declarations of every party in the House of Commons, and the authority of the law itself, which had in the intervening time stepped in since the affair of the deanery of Down, the appointment to which, by the way, was instantly abandoned, not only by the Government, but by the individual preferred, who would not for a moment stand in the way of any contemplated important reform. All the principles professed by the head of the present Government were to be sacrificed, for the sake of giving 100*l.* or 200*l.* a year more to Mr. Stokes, while 3,000 Protestants of Aghaloo were to be left without an adequate ministry. Let him not be told by noble Lords opposite, after this, that it was essential to the interests of Irish Protestants that well endowed ministers should reside amongst them. So certain was the principal proprietor of the parish of the recommendation of the commission being carried into effect, and that whenever, by lapse or otherwise, an opportunity should occur, a separate clergyman would be appointed, that he had built a church at his own expense; and there it now stood, waiting that arrival which her Majesty's Government had deferred causing for an indefinite time, to administer the rites of religion to the 3,000 Protestants of Aghaloo, It was by such acts that the interests of the Church of Ireland were weakened. Let him not be told of what was frequently and improperly called doing justice to Ireland, but let him be shown a case in which greater injustice was done to the Church of Ireland, He did not mean injustice to those who considered that Church merely as a means of providing for themselves and their families, but to that much larger body of the Church, including the laity as well as the clergy, who were bent upon the reception of spiritual assistance, and who did conceive that there should be a minister in every parish where there was a means of maintaining a competent clergyman. They often heard it said that an income of less than 200*l.* a year was not sufficient to maintain a clergyman in that respectability which his situation required; but if in this case they had thought it proper to make an unequal severance of the principle, they might have given the archdeacon 600*l.* per annum, and thus have left 400*l.* or nearly so, to the clergyman who was to minister to the 3,000 Protestants of Aghaloo. By setting such a precedent as the present case afforded, they would weaken the confidence of many in the government of Ireland, and they strengthened the hands of the enemies of the Church of Ireland by enabling them to hold up its benefices as not so much intended to afford spiritual advice and assistance to the people, as to enable convenient private arrangements to be made for enjoying its revenues. He believed that the noble Duke was ignorant of some of the facts of the case; because, if the right hon. Baronet at the head of the Government were sincere in thinking these unions to be the great plague-spots on the Church of Ireland, if he had thought so for years, and held up their extinction in answer to every other remedy proposed for the Church of England—then he did say that not many days should have elapsed after he had been placed in the situation in which he now stood without special instructions being addressed by him to the Lord-lieutenant somewhat to this effect. "Attend to everything for the good of the country, attend to everything for the good of the Church, but, above all, attend to those recommendations being carried into effect for the good of the Church, pointed out by its bishops, advised by its commission, and which you must know I have at all times contended to be most important considerations — touching the existence of the Church. Whether it were still too late for the Government to retrace its steps—whether, considering what they were told of the rev. Mr. Stokes, —a successful appeal could be made to him upon the subject, and his attention drawn to the example set by the presentee to the Deanery of Down—he knew not. He hoped that if the rev. gentleman could be induced to act as had the rev. gentleman appointed to the deanery of Down, and so get rid of the precedent now being unfortunately set, that he would not suffer thereby, but that it would require no great measure of ingenuity so to manage the Church patronage in Ireland, that one archdeacon could be provided for without sacrificing the principles of the Church, violating the declarations of the Premier, and all at the expense of the three thousand Protestants of the parish in question. But if this could not be, what benefits could in future be expected to flow from any commission, when its most distinct recommendations were set aside for the purpose of making one convenient appointment? He hoped that the subject would be again brought before the House when the papers now moved for were produced.

The Earl of *Ripon* said, that the noble Lord who had first spoken on this subject from the other side of the House had said, that the whole of this transaction was covered with a good deal of suspicion; and the noble Marquess who had last sat down expressed a hope that the Lord-lieutenant of Ireland would, on occasions of this kind, rather consider the recommendations of the ecclesiastical commissioners, as to what it would be advisable to do, under the circumstances,, than do that which might be recommended only to him as convenient. The noble Marquess, then, absolved the Lord-lieutenant from any direct charge of having been guided by convenience in this matter. All he should say was, that if the Lord-lieutenant's case could not stand for itself, against any such imputations or suspicions as this, it would not be worth his while, or that of any one else, to say anything in his defence. Whether his noble Friend had acted right or wrong in what he had done, he had declared that he took the whole responsibility upon himself, although, as one of the Ministers, he thought they were hardly justified in allowing him to do so. His belief was, that the arrangement which had been proposed would prove more advantageous to the interests of the Church than if the separation between the two parishes had been carried into effect. He found that the total income of the two livings, instead of amounting to 1,780*l.*, had been reduced to a little more than half that amount. One thousand a-year had been recommended by the commissioners, as the proper remuneration for an archdeacon; but his noble Friend who spoke last had turned this idea into ridicule, stating that in England there were archdeacons who had only as much 200*l.* a-year. His noble Friend admitted that the recommendation of the commissioners was, that the stipend of an archdeacon should be a thousand a year; and thus he should have agreed with the commissioners as to the separation of livings, but not as to the amount of remunerations for the duties of the archdeacon. He must say, that he thought the two noble Lords opposite had very much magnified the case which they had attempted to establish against his noble Friend. If there appeared any reason to believe that in this or any other act of his Government, the Lord-lieutenant had acted from interested motives, either personal or political, with any view to election purposes, or other unworthy motives, then, indeed, those noble Lords might have been justified in using much stronger language in reference to it than they had done to-night. He was anxious that the motives of the Lord-lieutenant should stand fully justified. He was convinced that the principles on which his Lordship had acted were fair and right ones. He thought, moreover, so far as his own opinion was concerned, that the Lord-lieutenant had exercised a wise discretion in the course which he had adopted in this particular case. He could not think that in taking this course the Lord-lieutenant had done anything calculated to injure the Protestant Church in Ireland, or to compromise the interests of the great and important community over which he presided, either in this or any other act of his Government.

The Earl of *Wicklow* said, simply judging from the facts which had come before the House, he was perfectly convinced that the Lord-lieutenant, in the disposal which he had made of this archdeaconry, had not fallen into the error which his noble Friend had admitted the late Government had fallen into when they had filled the deaconry of Down immediately following the advice of the commission not to make the appointment. [The Marquess of *Lansdowne.*—They immediately abandoned it.] Because the individual they had appointed had been willing to surrender the donation, and make it void, and of giving them an opportunity of remedying the error they had made. He thought, therefore, the noble Lord-lieutenant might have been excused by those who had fallen into such an error themselves. But judging from the manner in which the present Lord-lieutenant had made his church appointments, of his examination and disinterested choice of claimants, without reference to any interest whatever other than the learning, attainments, and qualifications of the applicants, he was confident that the same care and attention must have been given to this case. It was stated that the Primate had been consulted, and had acquiesced in the appointment as soon as the reasons for it had been given. His noble Friend had stated, that this appointment had caused suspicion; it might occasion suspicion amongst those who sat around his noble Friend. Knowing, as they did, how appointments had been made by their Friends—considering how the very appointment now referred to had been made, and how that Gentleman had afterwards been elevated to a bishopric—considering the removal of a Lord Chancellor of Ireland, and the appointment made of an Attorney-General to the Lord Chancellor ship, he was not surprised that some suspicion might arise in their minds at this appointment, though he denied that any such suspicion would be felt in the Church in Ireland. There was one circumstance connected with this case to which he wished to call attention. The gentleman appointed to this archdeaconry was considered as one of the fittest persons for it. It was a situation of great responsibility and of importance to the Church, and it was necessary to get a gentleman capable to fill the office. The noble Lord asked would he not have been willing to do the duty with the emolument of one living instead of two? The gentleman appointed had been removed from another diocese where he held a living worth from 700*l.* to 800*l.* a year, and he had received very little increase of income by the change; and without the appointment of both parishes he could not have been obtained. There was no reason whatsoever to infer from this appointment that divisions according to the recommendation of the commissioners would not take place in other cases.

Earl *Fortescue* said, that the noble Lord who had just sat down, in his zeal for his friend the Lord Lieutenant of Ireland, had, in his opinion, taken away the only excuse that could have been made for him in respect to this appointment, namely, that it had been made inadvertently; and in the absence of this excuse, he fully concurred in all that had been said by his noble Friends below him in reference to this proceeding; indeed, it was only out of respect to their Lordships' house that he did not express himself still more strongly on the subject. The noble Earl opposite had referred to an appointment which he had made in Ireland, and had alleged that his object in making it was to substitute one Lord Chancellor for another. He begged to remark, that when he made that appointment he had scarcely arrived at the seat of his Government. In fact it was the very first act of his Government. So utterly inaccurate was the noble Earl upon all that referred to his conduct in the Government of Ireland. Whatever his object in promoting the Dean of Down to the Bishopric of Tuam, and whatever might have been said on the subject, he felt that there were no grounds, either private or public, upon which he had to feel ashamed. He denied, also, that there was any fair analogy between the conduct of the late Irish Government in the appointment to the deanery of Down, and the present case. What were the facts of the case? The commissioners in their report had recommended that the benefices attached to the deanery of Down, should be severed. The deanery fell vacant immediately afterwards and then no great blame could attach to the Government if they were not immediately and accurately informed of all the contents of the report of the commissioners. But the moment that it was called to the recollection of the Lord Chancellor that the preferment which he had given to his son had been recommended by the commissioners to be abridged, than the rev. incumbent desired that the severance should be considered to have taken place before he had accepted the appointment, and that, if necessary, a bill should be brought in to carry the recommendations of the commissioners into effect. The consequence was, that as long as he remained in the deanery of Down, that gentleman's income was considerably lower than it had been before. Was not the conduct of the Government in this case, who carried into effect at the very earliest moment the recommendations of the commissioners, very different from that of the present Lord-lieutenant, who flew in the face of the recorded recommendation of the commissioners, leaving a town, containing 3,000 Protestants (not an unfrequent occurrence, by the way, in Ireland), to the care of a curate of 100*l.* a-year. It seemed to be assumed that the Lord-lieutenant was completely at liberty to set aside the recommendations of the Ecclesiastical Commissioners. He knew that until those recommendations were enacted into law, they had not the force of law; but he certainly always considered it, in his own case, that all their recommendations as to the severances of livings were fully as binding upon him as if they had been confirmed by Act of Parliament. He would refer to the sole case of the living of Buenchurch, which, on falling vacant, he had given to a party, under a distinct understanding that it should be subject to any bill brought in for the purpose of dissolving the union of the two parishes of which it was composed. He was quite sure, moreover, that if it was the wish of the Lord-lieutenant that the Church should stand well in Ireland, he should not disregard the recommendations of the commissioners upon this point. The distance between parishes, the vast tracts of country partially or wholly unprovided with spiritual cure, had long been a matter of scandal and reproach; and all who wished well to the Irish Church should be forward to remedy an abuse so loudly and justly complained of. If the House refused to step forward on this occasion in vindication of this principle, a very heavy charge would lie at their door.

Lord *Monteagle*, in reply, said that he had had no intention of imputing any jobbing or unworthy motives to the Lord-lieutenant in making this appointment. Nothing, however, which had been said justified the continuance of a system which had been already on all hands proclaimed a nuisance, and which must impair the efficiency of the Church of Ireland.

Motion agreed to.

THE MILLBANK PENITENTIARY.] Lord *Wharncliffe* moved the Order of the Day for going into committee on the Millbank Penitentiary Bill.

The Duke of *Richmond* did not rise with a view of opposing the bill, but to point out one or two objections to matters of detail in it, to which he would bring the noble Lord's attentive consideration. He objected to this measure that it did away with the control of the inspectors of prisons; this was the first time in which any prison was attempted to be founded in which the authority of visiting justices was not provided for. There was one point, also, which he thought would operate very unfairly upon the payers of county rates, who were often the poorest labourers in the county, namely, that if a prisoner was sent from gaol to the hulks, the expense of his journey was paid out of the county rates: but there was no provision to refund that money out of the Exchequer.

Lord *Wharncliffe* said, with respect to the objection as to the payment of the expenses of the transfer of prisoners out of the county rates, he admitted that it was a mistake, arising, probably, from the fact that this clause was taken from the Pentonville Prison Act. Being a money clause, however, he was doubtful whether it were competent to their Lordships to alter it. But he would give the subject his best consideration.

Bill went through committee. The report to be received.

The House adjourned.

HOUSE OF COMMONS,

Thursday, June 15, 1843.

MINUTES.] BILLS. *Public.*—1°. Princess Augusta's Annuity; Municipal Corporations.

2°. Grand Jury Presentments; Sugar Duties.

Reported.—Church Endowment.

3°. and passed:—Wheat, etc. (Canada); Roman Catholic Oaths (Ireland); Assessed Taxes; Copyhold and Customary Tenure.

Private.—1°. Marquess of Abercorn's Estate.

Reported.—Maryport and Carlisle Railway.

3°. and passed:—Sutherland Roads; Great North of England Railway; Edinburgh Water.

PETITIONS PRESENTED. By Mr. Hatton, from Wexford, against the Arms Bill.—By Messrs. Scholefield, Bell, Busfeild, Strutt, Pusey, Heathcote, Ewart, T. Duncombe, Cardwell, Broadley, Mangles, Hawes, Dickinson, Brotherton, Evans, Bowes, Benett, G. Berkeley, Hardy, Greenall, Pendarves, H. Berkeley, Ferrand, Barnard, Lambton, Waddington, Hindley, Labouchere, Forster, Chapman, R. Yorke, Captain Pechell, Sir J. R. Reid, Dr. Bowring, Lord Worsley, Sir J. Hanmer, Lord H. Vane, Sir G. Strickland, Lord Ebrington, Colonel G. Langton, and Sir G. Staunton, from an enormous number of places, against the Factories Bill.—By Mr. H. Berkeley, from the Mechanic's Institute of Bristol, for Exemption from the Payment of Rates and Taxes.—By Mr. Christopher, from Epworth, against a former Petition for the Repeal of the Corn-laws.—By Dr. Bowring, from Worcester, against the further Payment of the King of Hanover's Pension, and from Montrose, for the Carrying out of Rowland Hill's plan of Post-office Reform.—By Mr. S. Crawford, from Loughgilly, for amending the Law affecting Landlord and Tenant.—By Mr. Pusey, from Henley-on-Thames, for appropriating Waste Lands to the Use of the Poor.—By Lord Ebrington, for carrying out Rowland Hill's plan of Post-office Reform.—By Mr. Mackinnon, from Metropolitan Parishes, in favour of the Health of Towns Bill.—By Mr. S. O'Brien, from Meath, against the Irish Poor-law.—From six places, in favour of the Factories Bill.—From Baldock, and the West Riding (York), for Shortening further the Hours of Labour in Factories.—From Highworth, against the Canada Corn Bill.—From Lancaster, in favour of the Coroners' Bill.—From Rottingdean and other places, against the Turnpike Roads Bill.—From Tadcaster and Kirby Wharf, for Altering the Drainage of Lands Bill.—From Newport (Monmouth), for Mitigating the Treatment of Chartist

Prisoners in Stafford Gaol.—From Barnstaple and Perth, for Inquiry into the Treatment of the same, and from Kettering, for Shortening the Term of Imprisonment.—From Several Mechanic's Institutions, in favour of the Scientific Societies Bill.—From Plymouth, against the County Courts Bill.

THE FACTORIES—EDUCATION.] Sir *J. Graham*: In consequence of a question which was yesterday, in my absence, put to my right hon. Friend at the head of the Government, I will take this opportunity of stating the course which it is intended to pursue with respect to the Factories Bill. The House will do me the justice to recollect that when I brought forward the educational clauses of the Factories Bill, I stated that the proposition I then made was defensible on account of special circumstances connected with the compulsory education of a portion of the people under the Factories Act as it now stands upon the statute book. The House will also, I am sure, not fail to remember that I stated that the proposition which I submitted on the part of the Government was framed in no sectarian spirit, that we did not regard it as a measure connected with party feelings, and that I hoped and believed it would not be discussed in a party spirit in this House, or be so received and considered in the country. I am bound to say that, as far as this House is concerned, the proposition was received, if not with favour, at all events with forbearance on the part of those opposed to the Government for which I beg to tender my most cordial acknowledgments. It was received in a manner worthy of the vast importance of the subject which far exceeds all the transient considerations of party. It would be impertinent in me, the sense of the House never having been ascertained by any division, to speculate on what might be the opinion of the House with respect to the educational clauses as they now stand, in their modified form. I stated distinctly that, in my estimation, the success of the measure must mainly depend upon it being received generally throughout the country as a measure of concord. I hoped it would be so received; I endeavoured to frame it so as to impart to it that character and, in that light, after the best deliberation I can bestow upon the subject, I still continue to regard it. It was evident, however, that the great body of the dissenters of this country entertained insuperable objections to the bill in its original form; and, by the permission of the House I was allowed to propose extensive modifications which I hoped would have obviated the objections urged by the dissenting body. I am bound to say that in that hope I have been entirely disappointed; the objections to the measure have not been removed or even mitigated by the modifications and the opposition to my plan continues unabated. On the part of the church there has been exhibited, in the hope of obtaining concord and peace, a willingness to make a considerable sacrifice of preconceived opinions, but I cannot say that the measure itself has been regarded by the Church with peculiar favour, or that it has met with very cordial support. What, then, is the duty of the Government under such circumstances? I cannot conceal from myself that the great, the undoubted evil which this measure was intended to counteract if not to overcome still exists to an alarming extent. The statement made by my noble Friend, the Member for Dorsetshire, with respect to the unhappy ignorance in which a large portion of the rising generation in the manufacturing districts is involved, remains undisputed. The measure was intended to meet and overcome that national evil with which individual exertions, unaided by Legislative and public support have hitherto been found insufficient to cope. The Government was anxious to bring Legislative powers and public funds to the aid of local exertion, but I am satisfied, as I stated when I first brought the question forward, that unless we should obtain general assent and willing co-operation in our mode of effecting this object, though we might carry the measure through Parliament, practically it would be inoperative; whilst, at the same time, it would embitter the religious discord now prevailing, and increase rather than diminish the evil we are anxious to remedy. Having given to the subject the best consideration in my power, I have to announce to the House, on the part of the Government, that we have come to the decision that it will be most consistent with our public duty not to press the educational clauses of the Factories Bill. If I might, for one moment, be allowed to speak of myself, and to express my own feelings, I am bound to say that I feel great disappointment at this result. I have bestowed much time and anxious care upon the consideration of the subject. I thought it my duty, from my peculiar position, if possible to grapple with its well-known difficulties. I have been accused, I beg the House to believe that I allude to the circumstances without one particle of angry feeling—of framing the educational clauses in a partial and sectarian spirit. I can assure the House that these clauses were framed by me in a spirit entirely opposite to this imputation. I hoped that it might be possible to obtain concurrence in a scheme of national education based on the principle of teaching the holy scriptures without an attempt to inculcate peculiar tenets. In that hope I have been wholly disappointed; I looked for peace, and I have encountered the most angry opposition, therefore I withdraw the educational clauses, although I take that step with deep regret, and with melancholy forebodings with regard to the progress of education, and I hope that the House will do me the justice to believe that I framed these clauses honestly and sincerely, and in a tolerant spirit, conscious that I had to deal with a state of things in which, whilst on the one hand, we have a religion favoured by the state, on the other, perfect liberty of conscience is not only tolerated, but established by law. These were the feelings, which guided me, when the clauses were framed. This is the spirit in which I now withdraw them. I never discharged a public duty with greater pain, but I hope that my present decision will conduce to religious peace, and to the public good. I do not regret this effort I have made with reference to the important subject, and I will add that, notwithstanding all the obloquy which has been cast upon my motives, and all the misrepresentations to which I have been exposed, I do not feel, towards any portion of my fellow-countrymen, the slightest particle of resentment or of danger. It only remains for me to say, that as many of the most important of the other clauses of the bill were framed with reference to the educational clauses, it will require consideration on the part of the Government whether we shall proceed with the remaining clauses, and if so, in what shape they shall be proposed. Upon Monday I will state definitively what are the intentions of Government upon that point.

Lord *J. Russell* wished to ask a question of the right hon. Gentleman. Perhaps he might be permitted to say that he thought the Government had exercised a wise discretion in withdrawing the measure. At the same time, without at all saying that he thought they had succeeded in framing the clauses in the most unobjectionable shape, he must again repeat what he had before said, that he was ready to give them credit for a desire to frame the bill in such a manner as to conciliate at once the fair claims of the Church and of religious liberty. The right hon. Gentleman would recollect the proposal made by one very important body—the Wesleyans—that the clauses should be withdrawn for the present year, and that Government, during the recess, should endeavour to frame some plan which might meet with more general concurrence. Now, he thought it would be of great importance that the right hon. Gentleman should state to-day, or on Monday, whether those clauses were withdrawn definitively on the part of the Government, deeming their plan impracticable, or whether it would be their endeavour to modify that plan, or frame another, with a view to the introduction of a measure next Session. The right hon. Gentleman would allow him to say that he did not put the question from any indiscreet curiosity, but he thought, if Government abandoned the scheme, then some other Member, who would not otherwise think himself entitled, might frame some plan and submit it to the House, as an independent Member of Parliament.

Sir *James Graham* said, if he were called upon at that moment to say whether her Majesty's Government had another measure to propose, having only very recently adopted the decision he had just announced to the House, he must give for answer that their attention had been confined exclusively to the measure he introduced on behalf of his colleagues, and therefore that they were not prepared to bring forward any other measure. But as he had stated to the House, that on Monday he would declare the intentions of Government with respect to the remaining clauses of the bill, it would be more convenient if the noble Lord would allow him to take till that day to consider.

Subject at an end.

PRINCESS AUGUSTA OF CAMBRIDGE—QUEEN'S MESSAGE.] On the question, that the Order of the Day be read for receiving the report of the resolution for granting an annuity to the Princess Augusta of Cambridge,

Mr. *Hume* complained of the attack which had been made on him last night by the right hon. Baronet for making use of certain expressions. The right hon. Baronet had denied the accuracy of his calculations with respect to the pension granted to the Prince of Mecklenburg Strelitz forty-five years ago, and also with respect to the grant now under consideration. The former pension he repeated had cost the country 335,000*l.* calculating it at compound interest; and the grant now proposed, supposing it to continue for forty-five years, would amount on the same principle to 503,000*l.* The right hon. Baronet, however, had asserted, that the sum would not amount to more than one-fifteenth of what he had stated; and as there was this dispute about the fact he trusted the right hon. Gentleman would agree to the return which he had asked for. A calculation of a similar nature, extending to twenty-two pages, had on a former occasion been laid on the Table, and he could not conceive what objection could be made to the return which he asked for.

Sir *R. Peel* could not imagine that he had said anything calculated to ruffle the temper of the hon. Gentleman, who in one comprehensive sentence had accused him of intending to throw every possible reflection upon the hon. Member. The hon. Member last night made that sweeping anathema, and was now angry because he had quoted the hon. Member's phrase, "preceding precedents." He did not quote it for the purpose of inducing the House to ridicule the hon. Member, for it was an error into which any hon. Member might have fallen, the hon. Member no doubt meant former precedents. It was very hard to make him responsible for that expression having been laughed at. With respect to the return asked for by the hon. Gentleman, he had not the least objection to give the date of the year when the pension was first granted to the Prince of Mecklenburg Strelitz; but he did not object to the production of any calculation with respect to a particular pension on the arbitrary assumption, that the money with which it had been paid had been borrowed at the rate of 5 per cent. interest. There was a material difference between a calculation made by an accountant to determine the effect of some great financial plan, and the selection of this one pension by the hon. Gentleman. The hon. Member assumed, that the present grant was to continue for forty-five years, and that the money to pay it would be borrowed at 5 per cent.; but this was not a fair assumption. If the grant were to be converted into a capital sum it would not amount to more than one-fifteenth of the amount calculated by the hon. Member; and he (Sir R. Peel) had been positively assured by a Gentleman who had made some inquiry on the subject, that an insurance-office would not give more than 25,000*l.* or 26,000*l.* Having made these remarks, he trusted the hon. Member and himself might now part in good humour.

Mr. *Hume* said, the right hon. Baronet was quite correct in stating the value to be 26,000*l.*; but he had overlooked the perpetual interest to be provided for that sum, and the necessity of borrowing money to pay it.

The Order of the Day read, and the report received.

On the question that the resolution be read a second time,

Mr. *Hume* said, that having last night given the House an opportunity of expressing its opinion, and having been supported by only fifty-nine Members out of 658, he thought he should best consult the convenience of the House by not continuing his opposition, but by merely recording his opinion against the grant. If the right hon. Gentleman was determined to make a provision for the princess, let him propose a sum of money at once.

Mr. *W. Williams* said, the proposition before the House had occasioned a great deal of conversation out of doors, and a great deal of dissatisfaction in the public mind; and he was of opinion, that a committee ought to be appointed to inquire whether the Duke of Cambridge had the means of providing for his children without pensioning them on the country. If the Duke of Cambridge had amassed considerable wealth, it was highly improper for the Government to bring forwarded such a proposition as the present. A few days ago a similar claim had been put forth by a noble Earl for another branch of the royal family, and if the claim of one was admitted there could be no just ground for refusing the other. The hon. Baronet, the Member for the University of Oxford, last night made a statement of the most astounding nature—namely, that the hereditary revenues of the Crown, from the year 1761 to 1837, amounted to 117,000,000*l.*, whilst the amount received for the purposes of the civil list was only 69,000,000*l.* leaving a balance of 47,000,000*l.* in favour of the Crown. He denied, that these were the hereditary revenues of the Crown. They were taxes granted by Parliament to the Crown for particular and specific purposes connected with the public service. The hon. Baronet said, that these 117,000,000*l.* were hereditary revenues of the Crown. What, however, were those items? They were, first, customs, excise, and post-office, which only amounted to about 3,248,000*l.* He was sure, that the hon. Baronet had never looked into these accounts, or ascertained how these figures were put together, or he would not have made such a statement.

Viscount *Dungannon* rose to order. He wished to ask the Speaker whether it were competent for any hon. Member to take up the time of the House by allusions to speeches that had been delivered in a different debate altogether from the present, and such as were totally unconnected with the issue now before them. He wished to know whether the hon. Member for Coventry was now entitled to be heard when he was following such a course?

The *Speaker* said, according to the rule of the House, it was no doubt irregular for any hon. Member to allude to any thing that had taken place in a former debate; but there was certainly a degree of latitude allowed to hon. Members when such allusions were connected with the question immediately under discussion. It had not then been the practice to interfere, and the strict rule of the House was only adhered to when the subjects of the debates were of a totally different nature.

Mr. *Williams* resumed his observations amid the impatience of the House. He said he hoped, that the hon. Baronet was now satisfied that the statement he had made was most erroneous. He would not have troubled the House, but for the observations of the hon. Baronet.

Sir *R. H. Inglis* contended, that in substance his statement was correct. As a sample of the inaccuracy of the hon. Member for Coventry, he would remark upon one statement he had made. The hon. Member said, that the amount derived from the customs, the excise, and the post-office, in 1837, was 3,248,800*l.* That was composed of special items only. The aggregate amount from those items amounted nearly to 32,000,000*l.* The hon. Member, by his speech, almost designated the royal family as pauper recipients of the public bounty. [Mr. *W. Williams*: I have never used any such language.] He did not mean to assert, that the hon. Member had used such words, but his language certainly appeared to imply that meaning. He was glad to hear the hon. Gentleman disclaim them, but he appealed to the House if the substance of the hon. Gentleman's opposition to this grant was not, that the royal family were asking for what they were not entitled to receive. He thought, that it was most indecorous to introduce the personal character of the Duke of Cambridge into the debate upon this question. He would assert the justice of the claim by the Government in respect to the royal family.

Viscount *Dungannon* could not forbear deeply regretting, that when a measure as remarkable for its moderation as for its justice, had been introduced to this House—when it was proposed to make a provision of this kind upon the death of the Duke of Cambridge, for the grand-daughter of one of the best and the greatest Sovereigns that had ever swayed the sceptre of this country, whose memory must live in the respect of every good and enlightened man,—he could not, he repeated, but regret the tone which had been taken by certain hon. Members on the opposite side of the House, who indulged in the most unfair and invidious observations. He should be the last individual among the hon. Members of this House who would ever be found to oppose any grant to the royal family, that was deemed necessary to place them in that situation which they had a right to fill.

Resolution read a second time. Bill to carry it into effect brought in and read a first time.

CANADA CORN LAW.] Lord *Stanley* moved the third reading of the Canada wheat bill.

Colonel *Sibthorp* moved that it be read a third time that day six months.

Mr. *Hume* said, that since this bill passed its last stage, accounts had been received from Canada of the death of Sir Charles Bagot. In his opinion, no man had done more to meet the wishes of the community over whom he presided, or had succeeded better in turning a discontented population into a quiet and satisfied people. The thanks of the public of Canada had been conveyed to Sir Charles Bagot in formal addresses; and he deeply regretted that the hon. Gentleman had not survived to witness the effect which must have been derived from the sound and excellent constitutional principles which he had himself acted upon. He cared not who originated the policy of that excellent man. It was enough for him to know that it had been adopted, and that that policy had tended to the happiness of the whole community. It was a course of Government calculated to win the affections of the people, and he trusted it would be followed out by all succeeding Governments.

Mr. *Labouchere* expressed a hope that the intention of her Majesty's Government should be distinctly made known as to their future course with regard to the colonies of New Brunswick and Nova Scotia.

Lord *Stanley* said, that the present measure was one which affected Canada, and Canada alone. Canada stood upon a different footing from New Brunswick and Nova Scotia; and he felt himself entirely free from any pledge with respect to bringing in a similar bill at any future Session in reference to those colonies. Nothing could be more inconvenient than to call upon Government to give a pledge as to any future measure in any future Session upon so important a subject as that of the Corn-laws, especially when the object, after all, was, comparatively speaking, an insignificant one. The question would, of course, remain open, and, if necessary, might be made the subject of a distinct discussion; at the same time, relating as it did to so important a matter as the Corn-laws, it ought not to be treated lightly.

Lord *Worsley* said, the bill had now arrived at its third reading, and from the sentiments expressed by those members who represent more particularly the commercial interest in this House, and from those of the noble Lord, he (Lord Worsley) felt justified in saying that it was considered of but little advantage. The Members representing the agricultural interest declared that their constituents felt great dread of the measure. When a bill similar to this was introduced by the hon. and gallant Member for Dartmouth (Sir John Seale), an objection to it was expressed by one who, whatever the opinions of Members might be, must always deservedly carry much weight in the House. The right hon. Baronet at the head of the Government, on the occasion of the second reading of that bill, spoke as follows:—

> "To come to a fair decision upon the measure before the House, I am obliged to compare the benefit which it will confer on the commercial interests, with its probable effects on the interests of the agriculturists. Now in my opinion, the benefit which the commercial classes will derive from the present bill, is extremely small, but I will not on that account oppose it, but I will do so because I believe that if it do pass, the discontent and dissatisfaction which it will create throughout the agricultural community will more than counterbalance any advantage which it is capable of yielding."

For these reasons thus expressed by the right hon. Baronet, he (Lord Worsley) felt justified in moving that the Bill be read a third time that day six months.

The House divided on the question that the word "now" stand part of the question. Ayes 150; Noes 75: Majority 75.

List of the AYES.

Acland, Sir T. D.
Adare, Visct.
Adderley, C. B.
Aglionby, H. A.
Aldam, W.
Antrobus, E.
Arkwright, G.
Attwood, M.
Baldwin, B.
Baring, hon. W. B.
Beckett, W.
Blackburne, J. I.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bowes, J.
Bramston, T. W.
Broadwood, H.
Brotherton, J.
Bruce, C. L. C.
Buckley, E.
Buller, C.
Buller, Sir J. Y.
Burroughes, H. N.
Cardwell, E.
Chelsea, Visct.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Clive, hon. R. H.
Colquhoun, J. C.
Compton, H. C.
Connolly, Col.
Corry, rt. hon. H.
Courtenay, Lord
Cresswell, B.
Cripps, W.
Dawnay, hon. W. H.
Dickinson, F. H.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Drummond, H. H.
Dugdale, W. S.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Ellice, E.
Escott, B.
Estcourt, T. G. B.
Feilden, W.
Fielden, J.
Filmer, Sir E.
Flower, Sir J.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Glynne, Sir S. R.
Gordon, hon. Capt.

Graham, rt. hn. Sir J.
Granger, T. C.
Greenall, P.
Greene, T.
Halford, H.
Hamilton, G. A.
Hamilton, W. J.
Hampden, R.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hatton, Capt. V.
Hepburn, Sir T. B.
Herbert, hon. S.
Hinde, J. H.
Hodgson, F.
Hodgson, R.
Hogg, J. W.
Hope, G. W.
Howard, P. H.
Hughes, W. B.
Hume, J.
Ingestre, Visct.
Jermyn, Earl
Johnstone, Sir J.
Jones, Capt.
Kemble, H.
Knatchbull, rt. hn. Sir E
Lambton, H.
Legh, G. C.
Lincoln, Earl of
Lockhart, W.
Lord Mayor of London
Lowther, J. H.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Mc Geachy, F. A.
Mainwaring, T.
Marsham, Visct.
Martin, C. W.
Master, T. W C.
Masterman, J.
Maxwell, hon. J. P.
Meynell, Capt.
Milnes, R. M.
Morgan, O.
Morris, D.
Mundy, E. M.

Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Northland, Visct.
Packe, C. W.
Peel, rt. hon. Sir R.
Peel, J.
Polhill, F.
Pollock, Sir F.
Powell, Col.
Pringle, A.
Reid, Sir J. R.
Rice, E. R.
Roche, Sir D.
Round, J.
Russell, C.
Ryder, hon. G. D.
Sandon, Visct.
Sheppard, T.
Smith, rt. hn. T. C. B.
Smollett, A.
Somerset, Lord G.
Sotheron, T. S. H.
Stanley, Lord
Stewart, J.
Sturt, H. C.
Sutton, hon. H. M.
Tennent, J. E.
Trench, Sir F. W.
Trotter, J.
Vane, Lord H.
Verner, Col.
Vernon, G. H.
Vesey, hon. T.
Vivian, J. E.
Wall, C. B.
Ward, H. G.
Welby, G. E.
Wilbraham, hn. R. B.
Williams, W.
Wood, Col.
Wortley, hon. J. S.
Yorke, hon. E. T.
Young, J.

TELLERS.
Fremantle, Sir T.
Baring, H.

List of the Noes.

Allix, J. P.
Arundel and Surrey, Earl of
Bailey, J. Jun.
Bankes, G.
Baring, rt. hn. F. T.
Barnard, E. G.
Baskerville, T. M. B.
Benett, J.
Blackstone, W. S.
Blewitt, R. J.
Broadley, H.
Buck, L. W.
Busfeild, W.
Carew, hon. R. S.
Chetwode, Sir J.
Craig, W. G.

Darby, G.
Dennistoun, J.
D'Eyncourt, rt. hn. C. T
Duncan, G.
Dundas, D.
Dungannon, Visct.
Du Pre, C. G.
Eaton, R. J.
Ebrington, Visct.
Farnham, E. B.
Ferguson, Sir R. A.
Fitzroy, Lord C.
Forster, M.
Fuller, A. E.
Grey, rt. hon. Sir G.
Hawes, B.
Heathcote, G. J.

Henley, J. W.
Horsman, E.
Hoskins, K.
Howard, hn. C. W. G.
Howard, Lord
Howard, hon. H.
Labouchere, rt. hn. H.
McTaggart, Sir J.
Martin, J.
Miles, W.
Mitcalfe, H.
Morison, Gen.
Murphy, F. S.
Murray, C. R. S.
Neeld, J.
Norreys, Sir D. J.
O'Brien, A. S.
O'Brien, J.
O'Conor Don
Ossulston, Lord
Paget, Col.
Palmer, G.
Palmerston, Visct.

Pechell, Capt.
Pusey, P.
Redington, T. N.
Rushbrooke, Col.
Smyth, Sir H.
Stanley, E.
Stanton, W. H.
Stuart, W. V.
Strickland, Sir G.
Tollemache, J.
Towneley, J.
Trelawny, J. S.
Trollope, Sir J.
Tuite, H. M.
Turnor, C.
Waddington, H. S.
Worsley, Lord
Wyndham, Col. C.
Wyse, T.

TELLERS.
Sibthorp, Col.
Ferrand, ~~R.~~ B. /w

Main question agreed to.

Bill read a third time and passed.

Arms (Ireland) Bill.] On the motion that the House resolve itself into committee on the Arms (Ireland) Bill.

Mr. *Wyse* said, that if in the course of the discussions which had already taken place on this bill, he had heard any reason given to show either the justice or the policy of the measure, he might have been disposed to take a different course from that which he was determined to pursue on the present occasion. He considered the people of Ireland to possess every constitutional right equally with the people of England, and that if any infringement of those rights, or any suspension of them, were proposed, it was his duty to ascertain the ground upon which such infringement or suspension was required. During the debate on this measure, he had not heard any sufficient ground urged in support of this bill. So far from an increase of crime in Ireland, there had been a considerable decrease, and he could not, therefore, understand why such a bill as this should be introduced, unless it were upon the philosophical principle of the Chancellor of the Exchequer, who considered it to be the duty of the Legislature to prevent the occurrence of crime. If this were a restrictive bill (and who would say that it was not?), why had not cases been stated, or proved to the House justifying restriction? Why had it not been established, that arms had been used in defiance of the law? Above all, why was this measure to apply to the whole of Ireland, when even

Ministers admitted, that it was required only for a part of that kingdom? It was not so in the time of the Insurrection Act, which applied solely to those parts of the country where the disease was known to rage, the only rational mode of proceeding, whether with regard to the human body, or the body politic, and such was the universal course with such exceptions only as Mr. St. John Long. It was, as he had already observed, incumbent on the Government to prove these things, but even though they should have proved them, he should still hesitate in believing the course proposed to be the best remedy for the alleged evil. He was by no means satisfied that they would succeed in repressing outrage by taking away the arms of the people. What then could be a worse legislative enactment than one which failed to accomplish the object for which it was passed? Many of the outrages committed in Ireland were not the result of bearing arms; the greatest excesses committed in that country were those perpetrated by large assemblages of people who burned people out of their houses. There were, undoubtedly, laws for the suppression of such outrages, but by no means of the same stringency as that now proposed. The result of this measure would be to deprive of his arms not the evil-disposed, but the farmer who needed them for his defence. After all, was it to an Arms Bill that they looked for the improvement of Ireland? Why not first try other measures before resorting to this *ultima ratio?* The Attorney-general seemed to view this as a precautionary measure designed to prevent the popular discontent from breaking out into acts of open violence. Was this the hon. and learned Gentleman's individual view, or did he speak the sentiments of the Government? Did the Government imagine, that the people of Ireland were to be controlled by so paltry a measure as this? They might as well hope to drive a French fleet from our coasts by means of martello towers armed with a single gun. Anxious as he was for the peace and tranquillity of the country for which this bill was intended, he deeply regretted to see such a line of policy adopted by any Government; the fortification of the castle of Dublin was ludicrous, the marching and counter-marching of regiments, armed cap-à-pie as though an insurrection was immediately at hand, was absurd, and last of all the ludicrous expedition to Waterford, a town in which the gaols had been almost untenanted for many years, was the consummation of folly. And how did this expedition originate? He believed he knew the quarter. He knew a certain lane inhabited by men who were to be bought and sold at any election, men who piqued themselves on their loyalty and devotion to the English connection, for which they appeared to enjoy an exclusive patent. One of this body made certain communications to one of the coast guard, by whom they were revealed to the inspector, who, in his turn, carried the intelligence to a stipendiary magistrate. Why not seek information respecting the state of the Irish people from those who enjoyed the confidence of that people, instead of shaking the confidence of that people, and the confidence of the people of England in the tranquillity of Ireland, by giving circulation to rumours which were calculated to disturb the current of commerce and peace. He regretted also the proceedings with respect to the magistracy, because if any measure more than another could be pointed out as calculated to tranquillise the country, and keep in check the spreading disaffection, it would be to leave authority in the hands of men who enjoyed the confidence of the people, and being men of high character and honour would have prevented their fellow-countrymen from going too far. The great evil in Ireland was, that the middle class, who were just rising into importance, who, more than any other, were interested in the repression of outrage, and who, if they had been allowed to develope themselves, might have prevented those excesses which always prevailed when this class was wanting, were in a fair way to be extinguished by these events. Day after day the magistrates were sending in their resignations, stung by the insults to which they had, not intentionally of course, been subjected. The result of the present proceedings would be the creation of two great parties in Ireland—the repealers on one side, and the Orange party on the other. These parties you place face to face, and then talk of being anxious to prevent disaster. These were evils which stared every honest man in the face. Ireland they had owned was their difficulty, but it had been no difficulty with their predecessors in office. The truth was, that the present rulers of Ireland did not understand the genius or feelings of the people, and how could that people have confidence in them? When the late Government came into office, the people of Ireland saw in it a strong disposition to govern the country for the welfare and benefit of the great body of the inhabitants; they, therefore, relied upon the Whigs for justice and equality of rights and privileges. Even after the Tories came into power, the people of Ireland for some time waited patiently in the hope that the new administration would not abandon the beneficent system the late administration had established. They hoped that the Tories, while sitting on the Opposition benches, had learned something from their political adversaries, and that they would avail themselves of their experience. The people of Ireland had been grievously disappointed; for a mild and temperate rule they saw coercion and severity substituted, and how could Ministers wonder that they obtained no confidence? He was aware that he could not put an end to this most injurious measure, but he would do justice to his own convictions, and to the country which gave him birth, by protesting against it in the most earnest and solemn manner. He did not oppose it as a party question; he did not wish to offer any factious resistance to it, with a view to the embarrassment of Ministers and the removal of them from office, but because he was deeply persuaded that the passing of such a law would be most fatal to the best interests of Ireland. He concluded by moving,

"That it be referred to a select committee, to inquire and report how far it is just and politic any longer to restrict the Irish people from the free exercise of their admitted constitutional right to bear arms."

Mr. *Blewitt* said, that having adopted the amendment of the hon. Member in lieu of that he had placed on the votes, he now rose to second it. Notwithstanding all he had heard in support of this measure, it was impossible for him to agree to a single clause of it. It had been admitted by the right hon. Secretary of State for the Home Department, that the right of British subjects to possess arms was one of their most important privileges; and the right hon. Gentleman also admitted that this measure was of an unconstitutional character, and could only be justified on the plea of extreme necessity. It was in fact a measure of privation and restriction with regard to the Irish people; it raised an invidious distinction between the people of Ireland and of England; and it could only be justified by the most overwhelming necessity. It appeared to him, that no necessity for it had been shewn as that no case had been made out for the adoption of this bill. It had been stated by the noble Lord the Secretary for Ireland, that similar statutes had been in existence for a period of nearly fifty years; but the infliction of injustice for so long a period, was no argument for its continuance. He considered that they ought not to consent to the abridgment of any popular rights without clear and indubitable evidence, that such a step was rendered indispensable by popular guilt. It was admitted by the noble Lord opposite that, at the period when the former Arms Bill was adopted, Ireland was threatened with invasion from France; but no such apprehension was now entertained; and he put it to the House whether there was any similarity between the circumstances under which the first Arms Bill was proposed and those which now existed. The noble Lord contended for the necessity of this measure on the ground, that there was an inordinate passion on the part of the Irish peasantry for the possession of firearms. But he did not consider this suprising, for they were debarred from the exercise of a privilege which was universally valued. They must all have observed the anxiety manifested by boys for the possession of firearms,—an anxiety which, in this country, was generally gratified. He believed that the indulgence of this taste had had some tendency in exciting and fostering a martial spirit, which had in the case of many individuals led to the attainment of high and deserved eminence. The great dramatic poet of our country, in his description of a "certain Lord," who talked "so like a waiting gentlewoman," and who thought

"—That it was great pity, so it was,
That villanous saltpetre should be digg'd
Out of the bowels of the harmless earth
Which many a good tall fellow had destroy'd,"

Put into his mouth the confession that—

"But for these vile guns,
He would himself have been a soldier."

Now, the possession and familiarity with the use of firearms tended to remove this dastardly spirit, and he believed had not been without its influence on the military character of the people. Let them not forget then the gallantry and courage of Irishmen. Who had led the most forlorn of our "forlorn hopes?" By whose valour had the most glorious of our victories been achieved? Had not Irishmen ever been conspicuous in the display of military enterprise and valour? Why, one-half of the military forces of this country consisted of Irishmen; and yet they proposed to treat the nation to which they looked to supply the ranks of the army with scorn and ignominy,—to refuse to the great majority of the people the possession of arms. He thought this was not a step calculated to maintain that martial spirit which had hitherto been manifested by our Irish fellow subjects. Mr. Macgregor stated, in his report, that a strong passion existed among the Irish for the possession of firearms, and there was scarcely any risk they would not incur to obtain them. This statement was corroborated by Colonel Miller's report. Colonel Miller said, that the most ardent desire for the possession of firearms existed; and in consequence, the timid farmer who had firearms was compelled to lend them to others, and in the event of a refusal houses were frequently broken into, and they were forcibly taken away. These outrages proceeded from the bad passions excited by the present odious law. If it was admitted that the Irish people were not naturally prone to acts of theft and robbery, and if it was found that they were constantly stealing arms, to what cause were they to attribute the prevalence of offences of this nature? He believed the people were excited to the commission of these offences by a sense of deprivation, and that if this deprivation was removed, such outrages would cease. The tendency of this measure was to excite envy, malice, and uncharitableness in the minds of the people. Partiality would be shown or suspected. Persons who obtained licences for the possession of arms would be regarded by their neighbours with jealousy and envy; and those to whom the privilege of possessing arms was refused would entertain a deep and bitter sense of injustice, not soon to be removed. He considered that the first and paramount object of all law was the prevention of crime. He advised the right hon. Baronet and hon. Gentleman opposite, to consent to the repeal of all laws similar to that now under consideration, and he believed they would then hear no more of such outrages as those to which he had referred. The noble Lord the Secretary for Ireland had shown, that since the year 1838 there had been a considerable diminution of crime in Ireland, and yet in the face of this evidence of amendment in the habits of the people, this measure, more stringent than those before in operation, was introduced. He thought the Government would do well to act upon the principles laid down in a proclamation issued by the representative of this country to the Chinese, in which the most ample protection and freedom in civil and religious matters was promised to them. If the Government acted towards Ireland in the spirit of that proclamation, the people would speedily become peaceable, happy, and contented. He hoped that the realization of the desire entertained for a perfect equalization of the rights and laws of the two countries, might ere long take place, and then they might see the pleasing picture of Britannia and Erin walking hand in hand, partaking the same joys and hopes, prepared to encounter the same dangers, a splendid example of national unanimity and prosperity not to be equalled in the world.

Lord *Eliot* would not yield to the temptation of following the hon. Gentleman through the extraordinary series of topics he had chosen to embrace in his speech, extending, as it did, from Ireland to China; and he should confine himself to the question really before the House. When the policy of the Irish Government came in any manner appropriately before the House, he should be perfectly prepared to vindicate the general conduct of the Administration or the particular acts of the Executive; and, sensible as he was of the kindness with which personally he was occasionally mentioned by hon. Gentlemen opposite, and feeling as he did, most sincerely, that the differences of party need never produce personal hostility, he begged firmly to declare that he could not accept a compliment paid to himself at the expense of the Government to which he belonged. He was, he repeated, quite ready to take his full share in the responsibility attaching to every act of that Government, and on the fitting occasion he should be found ready to defend to the utmost of his ability its Irish policy. But the present he could not deem that fitting opportunity; the question before the House being merely whether the House would go into committee on a bill which was substantially similar to what had been the law of Ireland for half a century; and the only point to be considered whether the state of Ireland was now so altered as to render such a measure unnecessary. The accounts of crime which had been alluded to were not at all exclusively in the hands of the Government, but were laid monthly before the House; and though the number of murders in Ireland had lately decreased, there had been an increased number of offences arising from the possession of arms. These returns were, also, let it be recollected, not returns of offenders, but of offences: so that very often each offence would really comprise twenty or forty offenders. The constabulary never reported a case but one of actual mischief—of committed crime. [Mr. *Roebuck* "No."] [Mr. *Hume*, "They are only charges."] The hon. Members were entirely in error; they were not returns of charges, or committals, or even of convictions, to each of which some objection might be made, but they were returns of crimes actually committed, and, of course, wholly independent of questions of number as regarded offenders. Each case in the returns was one of a distinct crime, whatever the number of the criminals. Now, he had been astounded to hear Members of the preceding Government, like the hon. Member who spoke first complain of the bill generally, as though they had not actually supported measures almost entirely the same; and he thought the opposition of those Gentlemen could not possibly be defended, unless they could make out that the circumstances of the country had so changed as to render any such measure no longer necessary. The measure was not desired, nor defended, as at all necessary for the sake of the Government, but for the protection of the peaceably disposed people of Ireland against robbers and murderers. That was the only ground on which he would rest the bill, and if he failed to establish that, he failed altogether in justifying it. Upon the concurrent testimony almost of every Irishman, he believed he might declare the necessity for some such measure. He believed, that at present there were, however, no real restrictions upon the possession of arms in Ireland by respectable and peaceable people; and he would defy its being shown, that the proposed bill would at all increase the difficulties or impose any new restrictions. And certainly (to show the disposition of the Government not to persist in the retention of provisions unnecessarily stringent), he might mention, that they would not press the clause requiring the certificate of two householders, concerning which the noble Lord (Viscount Clements) the Member for Leitrim, had given a notice, nor those concerning blacksmiths. As to the cry about "equal laws" in the two countries, surely every one must be aware that there were a variety of instances in which the law was necessarily, unavoidably different. Thus, when the Member for Waterford had confessed, that because he had declared against Repeal he had to be escorted to the hustings by cavalry, who could pretend that there could be applied to Ireland the exclusion of troops from the neighbourhood of towns during elections? And again, with respect to party processions, restrictions wholly unnecessary in England, had, with the consent of all parties, been imposed on Ireland, so the statutes against whiteboy offences. All these, and the bill before the House, were restraints on the liberty of the subject, rendered justifiable only by the necessity of the case. And if he were asked how long that necessity might continue, he must reply that it was not possible to tell, though he earnestly hoped that the progress of education and enlightenment in Ireland would, in the course of no very long time, dispense with that necessity. At present the Irish constabulary, excellent and efficient as it was, could not duly exercise its powers for the prevention and detection of crime, and could not, unless empowered by some such bill as this, examine suspected persons as to the manner in which they became possessed of arms. Surely powers like these were essential to the preservation of the peace the protection of property and life. Again he declared that although the measure was not needed by the Government for its own security yet, they were bound to take every precaution to prevent the consequences likely to arise from the exciting language — the seditious harangues—continually employed at meetings of 100,000 or 200,000 persons; and to provide for the protection of the peaceably disposed of her Majesty's subjects from the sudden ebullitions so probable in gatherings of such a character. Those who had already under former Governments agreed to measures substantially the same as the present might, if they pleased, object to different clauses; but they could not with consistency and propriety oppose the going into committee, unless, indeed, it were consistent with their ideas of propriety to declare that measures fit and proper under a Whig Government were monstrous and unconstitutional in the hands of a Conservative Administration. He trusted the House would now go into committee when a full and fair consideration would be given by the Government to the various amendments that might be proposed.

Mr. *Ward* thought that the noble Lord had placed the question on very fair grounds, when he said that those who had supported an Arms Bill in 1841, were bound to assign some better reason for not supporting it now, than the mere fact that their own friends were no longer in power. He was quite ready to join issue upon these grounds. His objections to the measure of the Government were twofold—first, that additional stringency had been given to some of the worst clauses of the old law; and secondly, that the general policy of the present Government towards Ireland rendered such a measure unwise and unjust. He admitted that, like many other hon. Members, he had supported the Arms Bill passed by the late Government. If he had not voted for it, he had given it a tacit assent, and he had done so because he considered it part of a system, a bad system, no doubt, but a system which that Government was doing all in its power to improve. The bill, as it was now presented to the House, was placed before them as the whole essence of the policy of the Government towards Ireland, and it was put forward as the only measure which they had to suggest to satisfy the people. He feared that it would only add to that long score of injustice which they had to settle with Ireland already. He had himself, when he first came into Parliament, voted for the Coercion Bill,—he said it to his own shame, for, it was the act of his public life which he most deplored,—the avowed object of which, was to put down even the semblance of civil liberty in Ireland, without the slightest justification in the then state of that country for such a step. But he did this in ignorance of the past history of Ireland, and in blind reliance upon a blind guide—he meant the present Secretary for the Colonies,—who, with all his abilities, was the blindest, and most dangerous, of guides wherever Ireland was concerned. Subsequent events had proved that it was conciliation, not coercion, that was wanted in Ireland—justice, not force; for, if ever there was a people keenly, and gratefully, sensible of anything like impartiality, and fairness, in those, who were entrusted with the management of its affairs, it was the people of Ireland, and they had proved it by their conduct from 1835 to 1841. The administration of his noble relative Lord Normanby, of Lord Morpeth, of Lord Fortescue, was a proof how little Coercion bills were wanted to maintain tranquillity. Whatever might be said of their English policy, that was a noble page in the history of the Whigs. And why were things now relapsing into the very state from which they had then emerged? Why was England forced to pour troops into Ireland, and to blockade its coasts with war-steamers, when Lord Normanby had reduced the army by 10,000 men, and offered to spare more, if wanted here? He did not blame Ministers for taking proper precautions. They might be necessary in the unhappy state of feeling that had arisen, and if coupled with a determination to grapple with the whole question of Ireland, and to adapt their future policy to its wants, he would even say that they might be wise. But conciliation must accompany the proof of superior strength. Nothing could be done in Ireland by brute force. He believed that the right hon. Baronet at the head of the Government was as little disposed to adopt a harsh, or oppressive, policy as any man alive; and as to his noble Friend the Secretary for Ireland, he had known him all his life, and he never knew any man of a more conciliatory character, or of a more thoroughly honourable mind. By what fatality was it that two men, individually the least disposed to commit injustice, were, politically, the least able to do right? It was the curse of their party connections that was weighing upon them. The goodness of their intentions was neutralised by the badness of the instruments with which they had to work. The noble Lord the Secretary for Ireland was identified in the minds of the Irish people with an unpopular party and an unpopular church; and the right hon. Baronet himself bore the odium which justly attached to many of his Colleagues. It was most unfortunate that the Government should count amongst its members men, whose speeches had betrayed the bitterest hostility towards Ireland. He found in a speech of Mr. O'Connell's, at Kilkenny, an allusion to this, which every well-wisher to this country must deplore. He did not identify himself with Mr.

O'Connell's sentiments or language. On the contrary, he repudiated both in the strongest terms. He thought the attempt to array Celt against Saxon was a step back into barbarism—a prostitution of his vast influence unworthy his position, and more likely to lead to a war of extermination between two hostile races, than to a struggle for equal political rights, in which both countries might rationally, and honourably, join. But what was the excuse of the hon. Member for Cork? It was, that he had not begun this species of hostility—that, by a person high in station in this kingdom, the people of Ireland—seven millions of her Majesty's subjects—had been declared to be "aliens in blood, in language, and in religion." [Mr. *Borthwick*: It was explained.] The explanation had come too late. When it came, the mischief was done,—the blow had been already struck, and the words themselves were never denied. How did Mr. O'Connell use them? He said at Kilkenny,—

> "I want to know whether a man in the House of Lords did not say that the Irish were aliens in blood, in language, and in religion? I will tell you why I think the man said it; because I was listening to him myself. It may be said, that he was some every-day talking agitator; but no, the man who used that phrase is now Lord High Chancellor of England. How dare you say that Irishmen and Englishmen are of the same race, when your Lord High Chancellor pronounced his decree that they are not, and you have since rewarded him with a salary of 14,000*l.* a year, and an annuity of 6,000*l.* a year after he ceases to be Chancellor? Oh, how I like to hear one of the miscreants, that belong to that party, come out on me, and charge me with making distinctions between the people of the two countries. I did not make that distinction, but it is as good as if it were my own child, for I adopt it."

What, then, was to be done? Was the Government to negotiate with Mr. O'Connell? No. He would disarm him—he would strip him of his powers, by doing what was right—what all Europe would say was right, and by dealing promptly, and boldly, with the two questions, which were put most prominently forward as the cause of the agitation for Repeal—he meant what was called the fixity of tenure question, and the Church. As to the first, there was little difficulty. Mr. O'Connell himself had never defined what he meant by fixity of tenure. He had spoken loosely, and largely, about it at meetings, but he had been very guarded in print. In the address of the Repeal Association, he said, that "*something* must be done for the occupying tenantry of Ireland," and that that *something* must be conciliated, so far as possible, with existing proprietary rights. Could there be a fitter question for the Government to take up, as had been suggested by his hon. Friend the Member for Kildare? They alone had power to bring it to any beneficial conclusion, and the sooner they attempted it the better. As to the Church, he knew the difficulty with which this question was surrounded, but he meant to speak out. He saw no use in mincing the matter. In 1834, had Parliament been inclined to act upon the motion, which he brought forward, very moderate concessions would have sufficed. The bills of 1835 and 1836 proved this, for very little was done by them, yet the Irish Members gave them their unanimous support. But, Parliament chose to reject these measures, and to buy off the Appropriation clause, by sacrificing 25 per cent. of the tithe; not an unreasonable return to the landlords of Ireland for the risk, and responsibility, of collecting the rest. It was his deliberate belief, that the remaining 75 per cent. must now be given up as the price of peace. He believed that it would be utterly impossible to maintain the Establishment in Ireland, and the Union between the two countries; and he distinctly asserted his conviction that any Government which dealt with this case must regard Tithes as a fund, which could only be preserved for Religious purposes, provided it were distributed on terms of perfect equality between the working Clergy of all denominations. He said, let them get rid of their Bishops and Archbishops. His firm conviction was, that the Establishment must be given up as the condition of future peace. It was very well to taunt him with this, as if it were a novel doctrine: but what had their own leader said in 1817? In perhaps, the most sagacious speech ever made by that most sagacious man, he had predicted every thing which had since occurred. He said—

> "You propose to open to the Catholics Parliament, and to invest them with political power;—to make them capable of acting in the highest offices of the state, and of being the responsible advisers of the crown. You tell us that the Roman Catholics of Ireland are advancing in wealth and education, and that, as you remove the disabilities under which they labour, their advance will be the more rapid, and they will become more influential in the State. Do you mean then *bonâ fide*, to give them in Ire-

land the practical advantages of the eligibility you propose to confer upon them? Do you mean to give them that fair proportion of political power, to which their numbers, wealth, talents, and education, will entitle them? If you do, can you believe that they will, or can, remain contented with the limits which you assign to them? Do you think that when they constitute, as they must do,—not this year, or the next, but in the natural, and therefore certain order of things,—by far the most powerful body in Ireland;—the body, most controlling, and directing the government of it;—do you think, I say, that they will view with satisfaction the state of your Church, or of their own? Do you think that, if they are constituted like other men, if they have organs, senses, affections, passions, like yourselves—if they are, as no doubt they are, sincere and zealous professors of that religious faith to which they belong—if they believe your 'intrusive church' to have usurped the temporalities which it possesses;—do you think that they will not aspire to the re-establishment of their own church, in all its ancient splendour?—Is it natural they should?—If I argue even from my own feelings, if I place myself in their situation, I answer that it is not."

Could they have a more correct anticipation of the results of his own measure, than that which the right hon. Baronet had shown in three words? The right hon. Baronet then went on to notice the case of Scotland,

"The history of Scotland is referred to as proving the policy of granting those privileges, which we are now called on to grant, and though I reject is as affording any precedent at all analogous to the present case of Ireland, I cannot help feeling that it may be, at some future time, with great force, appealed to in favour of establishment of the Roman Catholic religion in Ireland. What was the policy towards Scotland? After vain attempts to impose on the people a form of religious worship, against which they revolted, you abandoned these attempts, and established, permanently, and inviolably, the Presbyterian Church, its doctrine, discipline, and government. Scotland with her Presbyterian Church, has been united to England with her Episcopal Church; all jealousies are buried in oblivion, and the political union is complete."

Could they have anything to mark more distinctly the incompleteness of the political Union in Ireland, than the existence of an Establishment, which was looked upon with feelings of national dislike, and antipathy, and which, whether the payment was saddled on the landlord, or the tenant, constantly reminded the people of what was once theirs, and what they had lost? He hoped that he had stated distinctly his reason for the vote he was about to give. He meant to be distinct. He saw nothing in the present state of Ireland, which did not fill him with anxiety, and alarm. Not that he doubted the present power of England to put down the Repeal movement;—but to make the Union permanent, they must put it on reasonable grounds. They must assimilate the general spirit of legislation in the two countries. They had never tried to do so honestly, and they never would do so effectually, whilst they had connected with them an Established Church opposed to the national sentiments of the Irish. They might refuse to deal with it now, but if they neglected to do so, his belief was, that though it might not be this year or next year, yet in the event of an European war, or of any disturbances at home, we should find that we had converted into the source of our greatest weakness, a country, which, if properly managed, might, and would be, the source of our greatest strength.

Mr. *T. B. C. Smith* thanked the hon. Gentleman for the openness with which he had avowed his opinion. As to the question before the House, there were three courses open to the Government. One was to allow the existing law to expire; the second was simply to renew it; and the third was to consolidate and amend the laws upon the subject. This last was the course which it had been thought proper to adopt as the best mode of bringing distinctly under the consideration of the House the nature of the enactment. He had scarcely expected, after the majority by which, upon the second reading, the principle of the bill had been adopted, that a new discussion would arise upon it. Such a measure as the present was no longer than two years ago, considered just and right by hon. Gentlemen opposite, who were now opposed to it. But admitting the possibility that what was just and right in 1841 might not be so in 1843, he would refer to the papers laid on the Table of the House to show, that circumstances now rendered such a measure more imperative than in 1841. The class of crime to which the measure applied had increased since 1841. With respect to fixity of tenure, he must remind the hon. Member for Sheffield, that in 1835 and 1836, a measure on this subject was brought before the House. In 1836, the measure was read for the first time, but it never reached a second reading. If the measure were so necessary for the welfare of Ireland, why was it not taken up by the Government of that day, or why was it not urged on by hon. Gentlemen opposite? On the proposal for the second reading of the bill, an amendment was moved that it be read a second time that day six months, and nothing had been heard of it since. The hon. Member for Sheffield had adverted to another matter with respect to which, he said, it was necessary to conciliate the Irish people, and certainly the hon. Member had spoken out distinctly enough on the subject. He said they must sacrifice the archbishops and bishops of the Irish Church, and the remaining three-fourths of the income of that establishment, or they could not expect to maintain the Union, and to render the Irish people well disposed towards England. Now, he could tell the hon. Member that even these concessions would go but a short way to conciliate those, at least, who were endeavouring at the present moment to separate the two countries. As the sense of the House had been so decidedly expressed on a former occasion with respect to the principle of this bill, he thought it desirable that the House should now go into committee to consider its details. He would remind the House that the expediency of an Arms Bill was urged at a meeting in Kings County on the 6th of June last, at which magistrates and gentlemen, of all political opinions, attended.

Mr. *D. R. Pigot* said, that Government had no reason to complain of the course taken by his hon. Friend, the Member for Waterford. The Irish representatives were bound to record their opinions, and would do so, without offering anything like a factious opposition. Some had assumed, and others had directly asserted, the identity of this bill with some others which had formerly been before Parliament; but it was because this bill professed to introduce material changes, that they who opposed it were desirous, before it was adopted, to have it placed upon an intelligible and reasonable foundation, and for that purpose to have a full inquiry. The first Arms Bill was introduced in 1796, but it was not introduced to prevent assassination. The recital showed the intention of the Legislature in passing it; namely, to check the traitorous insurrection which was then latent in Ireland. It was first passed when Ireland was in a state of rebellion, and the flame broke out two years after this enactment. It was accompanied by provisions for proclaiming districts, and to prevent the inhabitants from being out of their dwellings between certain hours, which were afterwards introduced as a separate measure; and, indeed, the act was known as the Insurrection Act. In 1798, after the rebellion had broken out, the act was renewed, and the provision was first introduced relating to pikes and other weapons, which had then come into use The act was afterwards renewed from time to time, but was never a permanent measure. In 1807, after the country had gone through two rebellions, Mr. Grattan declared his opinion that for temporary purposes, and in the then exigencies of the country, Parliament ought not to allow those provisions to expire, and it was re-enacted for three years. In the year 1810, the provision for enabling two magistrates to depute the power of making domiciliary visits was deliberately abandoned by the Government. The then Secretary for Ireland, who was the brother of a noble Duke, who now held high office in her Majesty's Government, Mr. Wellesley Pole, in introducing an amended bill said—

> "There was another act also to which he wished to call the attention of the House—an act which was brought in at the same time with the present Insurrection Act, and which had caused much discussion in that House—he meant what was called the Arms Act. He believed that every gentleman would admit that the provisions for registering of arms should not be given up, and that the power of searching for arms should exist somewhere. But the act, as it at present stood, was liable to very great objections, which he proposed to obviate. By the act, as it now stood, any two magistrates might, upon suspicion, search the house of any individual for arms, at any hour, and one magistrate might, upon information, search in the same manner, or delegate a power to another person to make the search. These were unquestionably strong powers, which might in their execution become the source of much vexation and individual hardship, and ought, therefore, not to be suffered to exist, if the object of enacting them could be attained without resorting to such harsh means. It appeared to him, that this act might be so modified as to remove these objections, and to prevent its trenching upon the liberty of the subject more than the absolute necessity of the case required. He should propose that no magistrate, or number of magistrates, should have the power to search except upon information on oath, or in a case that they had such ground of suspicion as might make it desirable to search a district for arms; and that in that case they should send

their information to Government, in order that it might determine whether the search should be made or not. If Government should determine that a search ought to be made, then he should propose that a warrant should be sent by the Lord-lieutenant, authorizing and directing such search. This provision would, in his opinion, be sufficient to guard the subject from any wanton exercise of authority."

The multiplicity of domiciliary visits was done away with, and the power was given only to two magistrates, who, by their presence, would show that the visit was necessary, and, by their acting, were a direct check on the perpetration of abuses. Yet the provision, which was abandoned thirty years ago, was now renewed. The provisions in the former act which repealed the domiciliary visits were to be re-enacted by the present bill. The Government in 1810 gave way with regard to the former severe enactments, and made it necessary that at any search two magistrates should attend personally; but this bill proposed to give the power to any one magistrate, not to make a personal search, but to authorise any one inspector or head constable of the constabulary force that he chooses to name to make domiciliary searches. This was not an immaterial consideration, but it was a matter that would be most deeply felt in Ireland. When two magistrates were required to be present at these domiciliary visits, there was something like a feeling of security, in comparison with entrusting the power to a policeman, and he need hardly say, that when this power was left to inferior functionaries, the feeling became most galling to the people of Ireland. But this extreme power was abandoned in 1810, and it was now, after a lapse of thirty-three years, proposed to revive it. Was Ireland, he would ask, more disfigured by crime now than between the years 1810 and 1830, during which period those were in power, who represented the opinions, and who belonged to the party which he saw opposite. Indeed, many Members of the present Government were then in office. The right hon. Baronet at the head of the Government had, during a considerable portion of that period, been Secretary for Ireland, and afterwards succeeded to the office of Secretary for the Home Department, in which he was responsible for the peace of the empire, and while the right hon. Gentleman held these offices, was any attempt made to re-enact these offensive provisions, or to increase the stringency of the code? Certainly not. The Insurrection Act, he believed, was in force in 1814, in 1815, and in 1816, but during these years, no attempt was made to make an alteration in the modified law of 1810. Upon what principle, or upon what show of necessity, or upon what question of policy then should the House be called upon to enter upon this new scheme of legislation. No provisions of this character had ever been thought of in 1835, or 1839, or 1841, for the laws that were passed on the subject in those years, only continued the mitigated enactments of 1810. His right hon. and learned Friend had alluded to the state of crime in Ireland. But was the state of crime such as to justify them in enacting this measure, which the people of Ireland would justly believe was the adoption of a part of the system of coercion? His right hon. Friend was fully aware of the accuracy and value of the returns relative to the state of Ireland, which had been prepared by the late lamented Mr. Drummond. That gentleman took the period of the three years, 1826, 1827, 1828, and contrasted it with those of Lord Normanby's administration, namely, 1836, 1837, 1838. The result was, that comparing the former period with the latter, as regarded murder and manslaughter, the decrease in number was fifty-six, or ten per cent; shooting and stabbing were less by forty-two, or 46 per cent; conspiracy to murder, 7, or 29 per cent; burglary 163, or 56 per cent; assembling armed, and appearing armed by night, 26 per cent; house breaking, &c., 548, or 86 per cent; cattle, horse, and sheep stealing, 298, or 34 per cent; assaulting, with intent to rob, 54 per cent. Compare the state of Ireland now with the state of Ireland even at the latter period, and he would ask whether, as regarded the amount and magnitude of crime, there was any ground for increasing the severity of the provisions in the Arms Bill. What was there to induce them during the period between 1810 and 1826, to resort to the mitigated enactments, continued afterwards to the period of 1836, when Mr. Drummond, in his magnificent evidence, showed that such a great diminution of crime had taken place, and now, when there had been a still greater decrease in crime, what was there to justify them in resorting to a more stringent law. The returns before the House, it was allowed, gave sufficiently correct indications as to the state of the country, and he was sure, that no Member of the Government would dispute their general accuracy. He had just referred to a document, in which they found the state of crime in Ireland at one period contrasted with what it was ten years afterwards. He would again take a period of three years, after the period he had last referred to, and the reason he took that time was, that Mr. Drummond had made his returns on the average for three years. He begged the House then to contrast the state of crime in Ireland in 1837 with what it was in 1841, and to see the great improvement that had taken place during that period. He perhaps should observe that he had taken the year 1837 as the mean of the three years referred to by Mr. Drummond, but he had no objection to take either 1836 or 1838; in the latter year, however, a small increase of crime occurred, but still the result would fully bear out what he wished to show. It appeared then, that homicide, which, by the by, he believed was the offence which this bill was particularly directed against, had diminished to such an extent as to fully justify the Government in mitigating the provisions of any bill of this kind. In 1837 the number of homicides in Ireland was 230, in 1841 the number was 105. He referred to the official returns, and those for last year showed a similar result, and the noble Lord was perfectly right in what he said as to the great accuracy with which they were prepared. In 1837 the number of aggravated assaults, and assaults endangering life, such as cutting and maiming the person, was 936; in 1841 the number was reduced to 798. In 1837 the number of offences of firing at the person was 91; in 1841, it was 66. Then, again, in 1837 the number of assaults on the police—and this was an offence affording a tolerably fair indication of the state of feeling on the part of the people—was 91: in 1841 it was 58. Assaults on bailiffs or process servers, in 1837, 24; and in 1841 only 3. This, be it remembered, was a serious offence, as it manifested a disposition to resist the process of the law. In 1837 the number of cases of resistance to legal process was 60; in 1841 it was 37. In 1837 the cases of rescue of property, a crime which prevailed to a very great extent at one time, was 38; in 1841 it was 18. In 1837 the number of cases of rescue of prisoners was 34; in 1841 it was 5 for the whole of Ireland. In 1837 the number of incendiary fires was 453; in 1841 it was 390. In 1837 the number of cases of illegal shearing of sheep, was 133; in 1841 it was 84. Administering unlawful oaths, in 1837, 36; in 1841, 60. Threatening notices or letters, in 1837, 685; in 1841, 752. Pound-breaking, in 1837, 33; in 1841, 15. Levelling in 1837, 78; and in 1841, 54. The next offence to which he would refer, was one of a most serious character, and he would beg the House to mark the great change that had taken place. In 1837 the number of cases of attacking houses and firing into houses, was 627; and in 1841, the number was reduced to 366. Faction fights at one time prevailed to a frightful extent in Ireland, they uniformly excited the very worst feelings of the people, and constantly endangered the public peace; but by the rigour and prudence of the government of Lord Normanby, and by the assistance of the people themselves, this offence, which formerly almost uniformly disgraced all the meetings of the people, and made their fairs and markets and races general scenes of riot and confusion, diminished from 18 in 1837, to 8 in the year 1841. Now, he thought, after showing this, that he was justified in calling for some plain and intelligible ground for such enactments as were now proposed. Had there been such an alteration in the position of Ireland within the last year or two, as to justify the House in adopting such a measure? Was it right to tamper with the feelings of the people on a matter of this kind? Had the noble Lord shown any necessity for this severe bill? If there was any necessity for this bill, let him grant a committee, and adduce his proofs. If there was anything in the returns—the accuracy of which he was sure the noble Lord would admit—surely the evidence on the subject could be adduced without delay. The fact, however, was, that these returns afforded proof demonstrative of the improved habits of the people, He had heard something like this admitted by some hon. Gentlemen on the opposite Benches, and were they to leave this matter out of account in legislating, respecting, and dealing with matters so materially affecting the habits and feelings of the people of Ireland. At one time the addiction of the Irish people to strong drink was a matter of general notoriety, and some years ago hardly a comedy was produced, or a tale, in which this propensity of the people was not made a subject of jest and ridicule. But a few years ago the celebration of the natal day of the saint of Ireland was devoted by almost all classes to debauchery; but a change had recently taken place which no exertions of any Government could ever have succeeded in bringing about. There had been something going on with respect to the condition of the people, which prepared them for much that had taken place. Was it the result of any sudden burst of enthusiasm? No such thing. They had had the experience of the beneficial change that had taken place during the last three years, and he could call a witness to attest the extent and magnitude of the change which had taken place, whose evidence he was sure would not be called in question. Not many days ago, the Minister of finance in that House, for he was the person who had to calculate how much the public coffers had gained by the inebriety, or lost by the temperance and sobriety of the people, made the following remarkable declaration, as descriptive of the change that had taken place:—

"If the House will look at the paper on the Table they will find a reduction to the amount of 1,200,000 gallons in the quantity of spirits produced in Ireland. This is not a novel circumstance in the fiscal concerns of that country, quite independent of any alterations of duty. In the year antecedent there was a reduction in the quantity of spirits of 2,400,000 gallons. But I shall be told that this reduction was owing to the duty of 4*d.* imposed by the right hon. Gentleman opposite. I will, however, go back to a year when neither the 4*d.* duty, nor the 1*s.* duty were in operation. In the year 1840 there was a reduction in the quantity of spirits to the amount of 1,400,000 gallons. So that in the years where no duty applied, there was a diminution equal, if not greater, than that which was now complained of; if, indeed, it could be considered a cause of complaint. And what is the statement with respect to this reduction? There is a growing spirit of temperance there which has led the people to abandon the consumption of ardent spirits; and any one conversant with the south and west of Ireland must be aware that that is a sufficient cause for the diminished consumption of spirits. Within the last year or two the temperance system has extended itself from the south and west of Ireland to the more northerly parts of the country; and I say that that circumstance alone, independently of any considerations arising out of the imposition of additional duties, is sufficient to account for the decreasing consumption of spirits."

Would the House pause for a moment to reflect on the great improvement, as regarded habits of temperance, which must have taken place in Ireland, and which had been going on for the last three years, and which had led to the reduction in the consumption of ardent spirits during that time to an extent of upwards of 5,000,000 gallons. The right hon. Gentleman proceeded to observe—

"Various circumstances tend to show that the decreased consumption in spirits in Ireland arises rather from altered habits on the part of the people, than from the increase of illicit distillation. I have made careful inquiries as to the conduct of the people in Ireland, at public meetings and other assemblages where large bodies of men are brought together, and the result of those inquiries has satisfied me that at no former period was there ever known to be such an absence of those evils which have invariably followed the increase of illicit distillation, namely, drunkenness, and consequent on that, riots and disturbances. The reports which I have received, up to the latest period, uniformly concur in stating that habits of sobriety are extending amongst the people of Ireland to a most extraordinary degree. It is reported to me that on St. Patrick's-day not a single man was seen drunk in the streets in several large towns. That is tolerably strong evidence of the change which has taken place in the habits of the people of Ireland. Having these facts before me, I cannot admit that the imposition of an additional duty on Irish spirits has led to an increase of illicit distillation."

Then what was the state of society, and what was the character of the population they had now to deal with in Ireland. What evidence would the noble Lord adduce to justify, he would not say the necessity, but the expediency of resorting to these most stringent enactments, which were abandoned on account of their severity in 1810. He would not call upon the noble Lord to show, for that in itself would be a most difficult task, that a registration of arms would be the means of diminishing or preventing crime, but he would ask him to point out what there was in the amended habits of the people that should induce him to call upon the House to resort to such coercive measures. He had already shown that former Governments had ameliorated the law with the view of inducing the people to place confidence in the protection of the Government, and to prevent its trenching on the liberty of the subject more than was deemed absolutely necessary, and he had already quoted the language used by Mr. Wellesley Pole in 1810, when the state of Ireland afforded an awful contrast to its present condition. Will you requite the people of Ireland for the general improvement that had taken place in their moral condition, by the restoration of the abrogated code of coercion, and superadd to it the stringent provisions which you abandoned in 1810. Surely the noble Lord must be aware that already a strong disposition existed in Ireland to quarrel with British legislation; and could he expect that such a measure as the present would diminish or alter that feeling. Did the noble Lord see nothing in the past history of the country which accounted for the state of things which he had just adverted to? Was not the noble Lord aware that the delay that had taken place in passing the Emancipation Act had tended to foster a feeling against a strong party in England, which had grown into great jealousy of the spirit in which they proposed to legislate? Did the noble Lord not know that the inevitable result of delaying a measure of justice was that it ceased to be regarded as a boon. Had the noble Lord not now before him pregnant proofs of the evil to which he had adverted, which should prevent his tampering with the feelings of the people; and in this state of things was this the time to venture to introduce his bill. It was vain to deny it, that however you might endeavour to explain your measure away, that the people of Ireland would feel and regard it as a test of a coercive measure. To those, therefore, who wished to cling to existing arrangements between the two countries, the measure of the Government would be productive of something more than inconvenience. They might warn the Government that its proceedings were not merely attended with danger to them, but, if persisted in, would be productive of the utmost peril, he would not say to the connection between the two countries, but to the harmony which should exist between them. It was impossible to pass such a measure in the present temper of the people of Ireland, without increasing in a tenfold degree those unhappy feelings which now existed. If, therefore, the noble Lord had not committed himself to this measure, he urged him to pause, and consider whether the mere reports of certain officers of the constabulary were sufficient to justify this measure. No one could entertain a higher opinion than he did of the merits, and talents, and character of Colonel Macgregor, and Colonel Millar, but he did not think that the noble Lord was justified in referring to the opinions of these officers of the constabulary as authorities which should guide the Government, and lead the House to adopt such a grave scheme of legislation. He knew that it was almost a natural feeling of persons in the situation of these gentlemen to recommend the adoption of such measures as they thought would relieve them, and the force with which they were connected, from certain onerous burthens. He could understand either Colonel Macgregor or Colonel Millar saying we find difficulties here or there—repeal this or enact that—so as to give us greater facilities in carrying on our proceedings. The same arguments were urged to Mr. Wellesley Pole, when he proposed the modified law of 1810, and when he proposed that a search for arms should take place in the presence of the magistrates, and then only when the Government issued an order authorising and directing such search. In adverting to this kind of reasoning, Mr. Wellesley Pole said:—

> "He was afraid, however, that one great objection would be made to this regulation—namely, that by the delay which it would occasion, the opportunity of preventing the mischief might be lost. He did not, however, think that the delay would be so great as to prevent a sufficient and effectual search from being made, and he trusted that the law was not so weak that it could not remedy any evil that might result from the adoption of the measure (which he should propose. He was convinced that the advantages which would result from showing the people that Government determined to give them as much liberty as possible, consistent with the precautions which were necessary for the general safety, would more than counterbalance any evil that might result from this provision."

He would take the liberty to counsel the noble Lord, that when a constabulary officer or stipendiary magistrate recommended him to depart from these wise and moderate regulations, which should characterise a Government, that it was extremely dangerous so far to trifle with the feelings of the people, as to allow the wanton invasion and search of their dwellings by an inferior functionary. He called upon the noble Lord to reconsider his course. If the noble Lord passed this bill, he would greatly increase the mischief which now existed, and it would inevitably lead to a state of things which any one friendly to the continuance of the Legislative Union must deplore.

Captain *Jones* wished to know whether the 24th clause of this bill did not give exactly the same powers that were given in Mr. Wellesley Pole's bill. The charge of the right hon. and learned Gentleman was, that the Government had increased the stringent clauses in the present bill, but he feared that the right hon. Gentleman had not referred to the former acts of this kind. If the right hon. Gentleman would look to the 24th section of the acts which passed in 1830 and 1834, he would there find it enacted that any justice of the peace might enter and search any house for arms, on the issue of a warrant for that purpose, on receiving information on oath. Now, the clause in the present bill did not go beyond this. The whole effect of the right hon. Gentleman's speech depended on the accuracy of his statement as to the clauses. He thought that some Arms Bill was absolutely necessary for Ireland, and he confessed that it appeared to him that the present bill was precisely the same with former acts on the subject.

Captain *Bernal* did not intend to occupy the time of the House with going into an examination of the provisions of the Arms Bill. He thought that it was the duty of the Government to show something like stringent reasons for the adoption of such a measure before it called upon the House to pass it. The House was induced to pass the Arms Bill, which was introduced by Sir A. Wellesley in 1807, because there was a French party existing in Ireland at that time. This was admitted by Mr. Grattan, who deservedly possessed great influence in that House. He stated that the persons against whom the Arms Act was chiefly directed were entirely devoted to the enemy. It had been inferred by Gentlemen opposite that because a Whig Government passed a certain measure that it was a sufficient reason to press for a continuance of it. It would appear that this was a common defence of all Irish governments, for if complaint were made in any matter with respect to their proceedings, they uniformly defended themselves by referring to the proceedings of former governments as a justification. He found a striking instance of this in the trial of Lord Strafford in 1640, who certainly was an energetic Lord-lieutenant, and who would not have been satisfied with merely dismissing magistrates. Lord Strafford, in his defence as to the charge of the cruelties he had inflicted on the people of Ireland in 1629, said,

> "I dare appeal to those that know the country, whether, in former times, many men have not been committed, and executed by the deputies' warrant that were not thieves and rebels, but such as went up and down the country. If they could not give a good account of themselves, the provost marshal, by direction of the deputies, used in such cases to hang them up. I dare say there are hundreds of examples of this kind."

He did not know whether the noble Lord could justify his bill by hundreds of examples. Without entering at length into a comparison of the present with previous governments in Ireland, he would remind the noble Lord that if the late Government proposed bills of this kind, they also showed a disposition to accompany them with measures of conciliation and kindness. He would just call the attention of the House to two clauses in this bill—the eighth, by which arms were ordered to be branded; and the 26th, by which persons having pikes in their possession were made liable to the punishment of transportation. On the 2d of July, 1831, Mr. Stanley, then Secretary for Ireland, moved for leave to bring in an Arms Bill. The right hon. Gentleman then said,

> "Of the new provisions of this bill, the following were the only ones which he thought it would be necessary for him to enumerate. In the first place, the bill would enact that there should be a general registration of all arms in Ireland, and that each individual weapon should be stamped and branded, so that arms might be easily traced through whatsoever hands they might pass. Any person having unregistered arms in his possession would not be subjected to a pecuniary penalty, as at present, which, from the poverty of the persons, was never enforced, but would be held to be guilty of a misdemeanour, and liable to be punished accordingly."

Now these enactments were exactly similar to those proposed by the 8th and 26th clauses of the present bill; but what was then done with the proposed enactments? These clauses were most strenuously opposed by the hon. and learned Member for Cork, and the right hon. Member for Dungarvan, and on a subsequent evening, when Mr. Goulburn asked the right hon. Gentleman when he intended to proceed with his bill, Mr. Stanley said,

"That as such strong sentiments had been expressed respecting the penalties of the bill which had been described as disproportionate to the offence, in deference to the opinion of Gentlemen connected with Ireland, for whose judgment he had a great respect, he should state at once that he should not think it right to preserve that clause in the bill which rendered the possession of unlawful arms a transportable offence."

Again, on the 23d of September of the same year, Mr. Stanley brought the subject forward. On that occasion the right hon. Baronet at the head of the Government, who at that time did not sit on the same bench with the noble Lord, remarked—

"That to propose measures of unusual severity, and then withdraw them, savoured of levity and inconsistency."

Mark the reply of the noble Lord. He said,

"His Majesty's Government thought it inexpedient to resort to unconstitutional measures, which had formerly been brought into operation. I am now ready to admit that I withdraw the measure I submitted to the House, in consequence of the decided opposition of those hon. Members connected with Ireland, to whose opinions I am in the habit of looking with deference and respect."

Such was the opinion of the noble Lord in 1831; but how could he reconcile it to himself that then, although with such strong feelings of deference to Irish Members, and with so little deference to the right hon. Gentleman, that he could bring himself to support the two clauses to which he had referred. He would now particularly call the attention of the right hon. the Secretary for the Home Department to a document which he held in his hand, which would show what an important effect the disposition and proceedings of the Government might have in allaying agitation. The paper he referred to was an address to Lord Normanby, in 1836, from a borough in Cork, from a large body of persons who had formerly supported a repeal of the union. It stated

"May it please your Excellency—We stand before you in number amounting to over one hundred thousand, and the greater part of us avow ourselves as having belonged to that political party in this country who advocated the repeal of the Legislative union between Great Britain and Ireland, in the eager pursuit of which we dismissed, or aided in dismissing from the representation of this great county and borough in Parliament, individuals who in other public questions were entitled to our respect and confidence; we thought that the only remedy that could be devised, in the evils of long established oppression and misrule, was a recurrence to a domestic legislature, when the laws would emanate from our countrymen, under the control of the opinions and feelings prevailing in Ireland. But the experience we have had of your Excellency's wise, just, and paternal government, carrying into effect the liberal and enlightened principles of his Majesty's present advisers, has taught us otherwise; and we now acknowledge that English statesmen, sent by and representing fairly the people of England, would do full and ample justice to this long-afflicted country. From the hope that we entertain, and on condition that the principles indicated by your Excellency's government will be carried into effect, we tender to your Excellency our solemn abjuration of the question of the Repeal of the Legislative Union, and of every other question calculated to produce an alienation of feeling between the inhabitants of Great Britain and Ireland."

What was the present state of feeling in the borough of Mallow, from whence this address came which he had read. He would remind hon. Gentlemen that Mr. Grattan had said that if they wished to ameliorate the condition of Ireland, they must improve its agriculture, place the people on a footing of religious equality with the English, and educate them. He would not refer to the two first points; but he would ask whether it were not notorious, as regarded the education of the people, that the very large proportion of the Protestant clergy in Ireland were opposed to the national system of education. He recollected the learned Recorder of Dublin saying that hardly any clergyman in Ireland who looked to be raised to the episcopal bench, was favourable to that system. He knew an instance of a Protestant gentleman in the north of Ireland who wished to establish a school on his property in conformity with the national system, but he met with the most strenuous opposition from the Protestant clergy, and it was only by means of the Roman Catholic clergy that he was enabled to establish his school. Again, the attempt to establish Protestant ascendancy had been productive of the greatest mischief from the time of Lord Deputy Gray to the present time; and as the Queen was told in 1579 that she would have little to reign over in Ireland but ashes and carcasses, so he feared that continued mischief must result from the continuance of the present system of coercive government.

Mr. *P. Borthwick* referred to the use made in the course of this debate, of a remarkable expression attributed to the Lord Chancellor, who was said to have called the Irish people "aliens in blood, in language, and in religion." The speech in which that expression was used was delivered in the House of Lords, in the course of a debate on the Irish Municipal Corporations Bill, on the 26th of April, 1836. On the 27th of June following, Lord Lyndhurst took occasion to give an explanation of his observation, and made use of the following words:—

> "Now, as to the charge itself, what is it? it is this: that I stated as a reason for not granting municipal institutions to the Irish, that they were aliens by descent, that they spoke a different language, and had different habits from ours, that they considered us to be invaders of their soil, and were desirous of removing us from their country. I made no such statement, nor did I say anything at all resembling it. No expression ever fell from me upon which any person, not of a weak intellect, or not disposed to misunderstand and misrepresent what I stated could have put such a construction. That this was the case is obvious from the conduct of the noble Viscunt opposite (Viscount Melbourne.) What did the noble Viscount do on the occasion when it is said these words were uttered by me? He remained perfectly quiet in his place, and made no comment whatever on what are now considered as most extraordinary and most unjustifiable expressions."

The noble Lord then went on to say, that he had not used the language in an offensive sense, but had quoted the word "alien" from the speech of an Irish agitator, and had employed it in perfect good-humour, and in order to render his argument more effective. But after all, when Gentlemen lifted up their hands in pious horror, at an expression to which they gave a wrong construction, what was that expression to some used at this Mallow meeting, and of which the hon. Member for Wycombe had said, "That he shuddered to read them." Why, the Member for Cork had actually asserted at that meeting that the Prime Minister of England was sending over to Ireland to assassinate the women of Mallow as Cromwell had murdered the women of Wexford. The statement might be very ridiculous in that House, but hon. Members must remember that it was originally addressed to a physical force assembly, equal in number, as Mr. O'Connell declared, to the "combined armies of Wellington and Bonaparte at the field of Waterloo,"—an assembly of which he said that

> "Every man present was wholly at his beck and nod," and that "under his instructions they would march to the music of their band or follow the repeal wardens as orderly as any army in Europe."

With such a speech as that in his eye, he was astonished that so intelligent a Member as the representative of Sheffield, should attempt to find an excuse for the agitation in Ireland on the ground of an expression said to have been used by the Lord Chancellor, which that noble Lord had denied and explained. He was astonished, too, that after that denial and explanation any one should venture upon a repetition of the charge. With respect to the bill before them he did not intend to address the House, but he had no hesitation in expressing his opinion that the present state of Ireland, so far from affording any reason for the discontinuance of a protection to property and to life, afforded the strongest reason for maintaining this measure in operation. Whether the objects of the agitation were for good or for evil, it was quite clear, that the manner of seeking those objects was dangerous to property, dangerous to the monarchy, and dangerous to the lives of her Majesty's subjects. But he would not go into that part of the question. He had only reason to repeat Lord Lyndhurst's explanation, and to express a hope that the words referred to had that night been quoted for the last time; and that Members on the other side would not put into the mouths of their opponents language that never was employed in the sense in which they construed it.

Mr. *Hume* thought that if there had previously been any doubt as to Lord Lyndhurst's words, the hon. Gentleman opposite had done all in his power to establish their authenticity. But leaving the hon. Member, he begged to ask, was it unreasonable that they should have more information before they proceeded further with this bill? As an inducement to pass the Act of Union, benefits were promised to the people of Ireland. Let him ask, was this bill one of the benefits? Were the Irish to consider as a boon a measure that was a badge of slavery and of degradation, that ought to make every Irishman ashamed of himself and of his country, and that took away the best privileges of a free people? For his own part, he alike blamed Whigs and Tories for the share they had in this measure. The Whigs were most culpable for not having altogether removed it from the statute-book. It was not because the measure was ancient that it was venerable; and, as for the argument that it had existed for so many years, that argument rather told in favour of its rejection than otherwise, for those years had been years of misgovernment and disquietude. He had hoped that when the Tories came into office better things were prepared for Ireland. The appointment of the noble Lord opposite (Lord Eliot) he had always considered a good one—the best, indeed, that the Prime Minister had made. He regretted that that noble Lord had not been left to himself. If he had been allowed to carry out his own opinions, or if he had only been allowed to carry out the opinions of the right hon. Baronet as stated in 1817, he believed that Ireland would have been as quiet now as it was four years ago, and perhaps even quieter, for, expecting a different treatment, the Irish would have been anxious to display their gratitude. But the noble Lord had not been allowed to carry out those opinions, and the consequence was, that he came down to the House with statements that were anything but satisfactory. The noble Lord was not able to show that there was the slightest increase of crime or violence in Ireland to justify such a measure as this. The returns quoted by the hon. Member for Clonmel indeed, were such "damning proofs" to the contrary, that every allegation of the noble Lord, and of the Irish Attorney-general, must be considered to be completely overthrown. The noble Lord had said he had fears for the future but those fears would probably turn out as visionary as his statements of the past had turned out erroneous. Visionary or not, however, they were not to proceed upon a mere suggestion of "fears," and the most they were authorized to do under such circumstances was to refer it to a committee to inquire whether those fears were well founded or groundless. They should recollect that Ireland was now to be governed after a different fashion from the Government of former times. Experienc had taught us now that it was not by acts of aggression or by treating the Irish as "aliens" that we could quiet them; but, that, on the contrary, it was by acting towards them honestly and justly. When they saw thousands, and tens of thousands of soldiers he might say, sent to Ireland, and the fleet of England sent over there, what did it mean? Let them not fancy that they could deal with Ireland as they formerly did, when the people of that country were treated as savages and hunted as wild beasts. They had become a sober people—they would become a thinking people. Their habits were altered. Let the House then not commence a plan of dragooning them by acts such as this. He wished that no law should exist in Ireland that did not exist in England and he was confident that none would be necessary if they treated Ireland as they did England and Scotland. The giant grievance of Ireland was the church ascendency. Twenty years before he had ventured to lay before the House a statement of that grievance, and he would now state, as the result of twenty years' experience, that he was satisfied there would be no peace in Ireland until that grievance was redressed. Were he an Irishman he never would be satisfied until at was effected. In proportion to the Protestants of that country an establishment should be kept up and should be liberally paid, but let them look to the sinecure church there. For the service of 1,000,000, more than ten times was paid than for the service of 7,000,000. Let them look also to the state of degradation in which the Catholic clergy were. He agreed with his hon. Friend the Member for Sheffield that that was one of the grievances to which the Government ought to direct itself. But what he wanted now was, information as to the state of Ireland requiring this coercion measure. This bill ought not to be passed until they had such information. The Attorney-general for Ireland, poor, simple man, was so little acquainted with the conduct of Irish bills, that he thought this would proceed as an ordinary measure; but he would venture to assure the right hon. Gentleman that if he were ten years in that House he would find it very difficult to state what progress could be made with an Irish bill. He thought no Irishman ought to have a seat in that House who did not give every possible opposition to this bill; it was not faction, it was acting justly and wisely; it was supporting the rights of their countrymen, and preventing hon. Gentlemen, who had got themselves into trouble, from getting themselves deeper into the mire. Let him suppose this case—that all the liberal magistrates retired from the bench, and let an individual not entitled to bear arms apply for a licence; if that application were refused, might it not be attributed, though unjustly, to a wrong cause, and, consequently, lead to excitement? Upon that ground he opposed the bill. He had always advocated the Union, but that Union had never been complete. Irishmen had been defrauded of their rights under the belief of obtaining justice here. Partial remedies had been afforded, and even those most unwillingly. Was it at all unreasonable, then, that such a powerful and eloquent individual as his hon. and learned Friend the Member for Cork —a man of such talents and character with such grounds of complaint, should come forward to espouse the cause of his country? He counselled Ministers to allow an inquiry, and if they made out their case, they would not meet with opposition from him; but as he doubted not the result of that inquiry would prove that they had been acting under a delusion he hoped they would withdraw this measure, as they had before now withdrawn others.

Viscount *Dungannon* was not surprised that a Gentleman holding the opinions of the hon. Member for Montrose blamed the Government for having the courage and honesty to introduce a measure rendered necessary by the dangerous state of Ireland. The Government might be blamed, but he contended, that it was the excitement produced by designing men that produced the evil, and Government would do wrong if it had not the manliness to provide for it. He rejoiced at the plain speaking of several hon. Gentlemen at the other side, who declared, that the Established Church must be put down and reduced to the position of a sect, and from whose remarks it was to be inferred, that hostility to the Church was at the bottom of the opposition to the bill, and of the agitation going on in Ireland. They were told, that the established clergy were wallowing in wealth, and oppressing the people. But there were few Gentlemen who knew Ireland who would not say, that they were an oppressed, suffering, and most deserving body, with a host of prejudices and difficulties to contend against, and were yet at the head of every beneficent and charitable act for the good of the community. Justice, in his opinion, had not been done to Ireland. Absenteeism and the conduct of the Irish landlords were the great grievances of Ireland. But when the country was in such a state of excitement, it was too much to say that the Government were to blame for protecting the interests of the quiet and peaceable inhabitants. It had been said, that there was no Arms Bill for England. No, because it was not necessary for England. If the doctrines of the hon. Member for Montrose were acted upon, lives would be lost and property ruined, whilst the Government were sending their agents to gain information. No; the Government had acted an honest and straightforward part. Half measures would never succeed. The state of Ireland demanded prompt and energetic action, and, by pursuing it, the Government would deserve, and would obtain, the esteem, respect, and admiration of all the better classes, both on this and on the other side of the water.

Mr. *Ross* might subject himself to the imputation of factious motives, but he could not allow the present opportunity to pass without expressing his disapprobation of the bill before the House. He had been struck by the contradictory grounds on which the noble Lord who had just addressed the House, and the noble Secretary for Ireland, had advocated the measure. The former noble Lord had referred it to the present excited state of the country, and the noble Secretary had said, that it had no connection with, and had not been intended to meet, the difficulties of the present agitation. As to that agitation he would candidly avow his opinion. To him it seemed absurd to talk of a Repeal of the Union. The Union had now existed for upwards of forty years, and had so blended itself with the condition, the feelings, and the prosperity of the two countries, that to dissolve it would be ruinous—if it were possible. To attempt a division between the Saxon and Celtic families would be an attempt equally absurd, because equally impossible. They had been so mixed together, that the two races were now in reality one nation. No; the Repeal of the Union would not remedy the evils of Ireland. Absenteeism and the conduct of the Irish landlords had properly been mentioned as great causes of her distress, and to these should be added the domination of a Church opposed to the feelings and belief of a majority of the nation. Alter and improve these things, and the agitation now unhappily raging would die away. He looked upon the present bill as part of a false and impolitic system, and he, therefore, should give it his most decided opposition.

Viscount *Howick* had not, without considerable difficulty, made up his mind upon the vote he should give. On the one hand, he certainly considered the principle of these Arms Bills objectionable, or at least questionable, and believed that they must either be ineffective or annoying, or both; and he was of opinion that the latter was really the case; and that the effect of such measures was to annoy the peaceably disposed without effectually answering the end in view. But, on the other hand, looking to the present condition of Ireland, and to what was passing before his eyes there, he was not prepared to withdraw from the Government powers that had been hitherto granted; for the very fact of the withdrawal of power that had so long been possessed by Government in Ireland would have a bad effect on the evilly disposed in that conntry. But he was not prepared to consent to rendering the measure more restrictive than the law at present was. He certainly should not, even if he opposed the bill, vote for an amendment so much against constitutional principle and precedent as referring so important a measure to a select committee. But he was quite prepared to go into committee upon the bill, when he hoped some of the objectionable clauses would be got rid of or modified.

The debate was adjourned.

House adjourned at half-past twelve o'clock.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME LXIX.,

BEING THE FOURTH VOLUME OF SESSION 1843.

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